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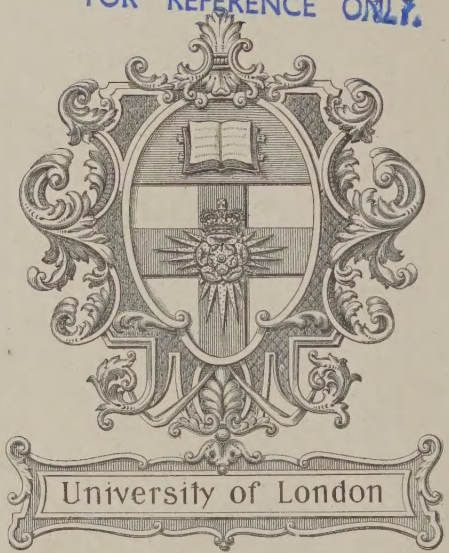

REPORTS

FROM

COMMITTEES:

FIFTEEN VOLUMES.

—(5.)—

CARLOW ELECTION;
COAL TRADE;
COLONIAL LANDS.

Session

4 *February*——20 *August* 1836.

VOL. XI.

1836.

REPORTS FROM COMMITTEES:

1836.

FIFTEEN VOLUMES:—CONTENTS OF THE

FIFTH VOLUME.

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REPORT

FROM THE

SELECT COMMITTEE

ON

CARLOW ELECTION PETITIONS;

TOGETHER WITH THE

MINUTES OF EVIDENCE

TAKEN BEFORE THEM.

Ordered, by The House of Commons, *to be Printed,*
11 *March* 1836.

Martis, 16° die Februarii, 1836.

Ordered, THAT a Select Committee be appointed, to inquire into the circumstances of the Traffic and Agreement alleged to have taken place between Daniel O'Connell and Alexander Raphael, Esquires, touching the Nomination and Return of the said Alexander Raphael as one of the Representatives in Parliament for the County of Carlow, at the last Election for that County, and the Application of the Monies said to have been received, and the circumstances under which the same were received and expended; and to report the Minutes of Evidence taken before them, with their Observations thereupon, to the House.

And a Committee was appointed of,--

Mr. Ridley Colborne.
Lord Francis Egerton.
Mr. Bannerman.
Mr. Barneby.
Sir Ronald Ferguson.
Sir John Yarde Buller.
Mr. William Ord.
Sir Charles Broke Vere.
Mr. Warburton.
Sir Eardly Wilmot.
Mr. Henry George Ward.

Ordered, THAT Sir Frederick Pollock and Mr. Serjeant Wilde do serve on the Committee to examine Witnesses, without the power of Voting.

Ordered, THAT the Committee have power to send for Persons, Papers and Records.

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REPORT.

THE SELECT COMMITTEE appointed to inquire into the Circumstances of the Traffic and Agreement alleged to have taken place between *Daniel O'Connell* and *Alexander Raphael*, Esquires, touching the Nomination and Return of the said *Alexander Raphael* as one of the Representatives in Parliament for the County of *Carlow*, at the last ELECTION for that County, and the Application of the Monies said to have been received, and the Circumstances under which the same were received and expended, and to Report the MINUTES OF EVIDENCE taken before them, with their Observations thereon;——HAVE inquired into the Matters to them referred, and have agreed to the following REPORT:

IT appears to your Committee that the subject may be arranged under Two Heads: The first, as relating to any Traffic or Agreement between Mr. Raphael and Mr. O'Connell for a Seat in Parliament; and the second, as to the Application of the Sum alleged to have been given.

It does not appear to Your Committee to be necessary for them to enter upon any detailed summary of the Evidence, but they feel it their duty to draw the attention of the House very briefly to the main points as they bear upon the question.

It appears that Mr. O'Connell addressed a Letter bearing date the 1st June 1835, to Mr. Raphael, in which an agreement for Mr. Raphael's Return for the County of Carlow, for £.2,000. was concluded. Your Committee cannot help observing, that the whole tone and tenor of this Letter were calculated to excite much suspicion and grave animadversion; but they must add, that, upon a very careful investigation, it appeared that previous conferences and communications had taken place between Mr. Raphael, Mr. Vigors and other persons connected with the County of Carlow, and that Mr. O'Connell was acting on this occasion at the expressed desire of Mr. Raphael, and was only the medium between Mr. Raphael and Mr. Vigors, and the Political Club at Carlow.

It appears that the Money was paid to Mr. O'Connell's general account at his Bankers in London: it was, however, advanced, the moment it was called for, to Mr. Vigors; and, though some of it was paid in bills, the discount was allowed; the amount, therefore, was available whenever wanted, and no charge of a pecuniary character can be attached to Mr. O'Connell.

It appears also that this Money has been expended under the immediate direction of Mr. Vigors and others connected with the County of Carlow, on what may be called Legal Expenses, or so unavoidable that your Committee see no reason to question their legality, and that the Balance was absorbed in defending the Return of Mr. Raphael and Mr. Vigors before the Committee appointed to investigate it on 28th July 1835.

11 *March* 1835.

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Veneris, 4° die Martii, 1836.

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MINUTES OF EVIDENCE.

Veneris, 19° *die Februarii*, 1836.

MEMBERS PRESENT.

Mr. N. W. Ridley Colborne.
Mr. Ord (Newcastle).
Sir Ronald Ferguson.
Mr. Barneby.
Mr. H. G. Ward.
Mr. Bannerman.
Sir Eardley Wilmot.
Sir Charles Broke Vere.
Sir John Yarde Buller.
Lord Francis Egerton.
Mr. Warburton.

Sir Frederick Pollock.

MR. NICHOLAS W. RIDLEY COLBORNE CALLED TO THE CHAIR.

The Petition of several Freeholders of the County of Carlow was read.

The Petition of the Inhabitants of Bath was read.

Mr. James W. Lyon, solicitor, admitted Agent for the Inquiry.

Mr. Joseph Parkes admitted Agent for Daniel O'Connell, Esq.

[Adjourned to Monday se'nnight the 29th instant, Twelve o'Clock.

Lunæ, 29° *die Februarii*, 1836.

MEMBERS PRESENT.

Mr. N. W. Ridley Colborne.
Lord Francis Egerton.
Mr. Bannerman.
Mr. Barneby.
Sir Ronald Ferguson.
Sir John Yarde Buller.
Mr. Ord (Newcastle).
Sir Charles Broke Vere.
Mr. Warburton.
Sir Eardley Wilmot.
Mr. Henry George Ward.

Sir Frederick Pollock.
Mr. Serjeant Wilde.

MR. NICHOLAS W. RIDLEY COLBORNE IN THE CHAIR.

The Order of Reference was read:

Mr. *O'Connell* stated, that he thought it right to suggest to the Committee, whether, as he might himself be a witness, he ought to be allowed to remain in the room. Upon which a discussion arose, and the Committee decided that there was no objection to Mr. O'Connell being present.

Mr. Serjeant *Wilde* applied to the Committee, that as the Order of Reference of the Committee was in very general terms, a specific statement might be made of the charges against Mr. O'Connell, and quoted the decision of the Committee in General Darling's case, in which such a statement was required.

Sir *Frederick Pollock* stated, that he could not, from his ignorance of the evidence that would be given, give a specific statement of the charges, for that several persons had refused, on being applied to, to give any

statement to the attorney of what their evidence would be, and contended that all his duty was to examine witnesses, in order to assist the Committee in their judgment, and that there was a distinction between the present case and General Darling's, as the Order of Reference to this Committee was to inquire and report their observations upon the evidence.

Mr. Serjeant *Wilde* contended, that a statement ought to be given by some person of the nature of the charges to be inquired into, as without that it would be impossible for him properly to cross-examine the witnesses, or for the Committee properly to apply their minds to the evidence.

The Committee-room was cleared.

It was moved by the Chairman, that Sir Frederick Pollock proceed to call in the witnesses.

An amendment then was moved by Mr. Warburton, that before this Committee proceed to examine witnesses, the Parliamentary Agent employed for the prosecution of the inquiry be required to specify the misconduct whereof it is intended to charge Mr. O'Connell, which was negatived, and the previous resolution was carried.

(The parties were called in.)

Alexander Raphael, Esq., was called in; and Examined as follows:

Alexander Raphael, Esq.

29 February 1836.

Mr. *Raphael.*]—AS this is the first time in my life that I have been summoned as a witness, either here or elsewhere, I throw myself upon the protection and indulgence of this Honourable Committee. Having said this, I am prepared to answer explicitly, in the best manner that I can, every question that may be put to me, without any equivocation or mental reservation, as if I were upon my oath before my God and my country.

1. Sir *F. Pollock.*]—WERE you a candidate at the last election for the county of Carlow?—Yes.

2. How soon did you become aware that the Committee on the former election had declared that election void; did you learn it the same day?—I learnt it on Wednesday the 27th of May.

3. From whom did you learn it?—From Mr. Vigors.

4. How soon after that did you see Mr. O'Connell?—The next day, on Thursday, Ascension-day.

5. Did anything pass between you and Mr. O'Connell on the subject of the Carlow election on that day?—Yes.

6. State to the Committee, to the best of your recollection, what then took place?—Mr. O'Connell called upon me at my house on that day, and he said, "Of course you have heard that there is a vacancy for Carlow?" I said, "Yes, I know it by the papers;" because Thursday's papers announced it. He then said, "Have you a mind, Mr. Raphael, to risk 1,000*l.*?" I said, "Mr. O'Connell, how much time would you give me to consider of it?" he said, "These things do not admit of much delay." I said, "Will you give me 24 hours?" he said, "Certainly;" and I said, "To-morrow, at 12 o'clock, I shall be with you with my answer."

7. Did anything more pass between you and Mr. O'Connell on that Thursday?—Yes; I said, "I will call upon you to-morrow at 12 o'clock." At first he said, "Yes;" then he said, "I shall be at the Committee at 12 o'clock; call upon me from half-past four o'clock to a quarter to five;" I told him I would do so.

8. Did you then separate?—Yes.

9. Did you call upon Mr. O'Connell the next day?—I did, to a minute, at his house.

10. Where?—In Clarges-street.

11. Mr. *Warburton.*]—That was the 29th?—Friday, the 29th.

12. Sir *Frederick Pollock.*]—Did you or not see Mr. O'Connell?—No, the servant maid opened the door, and said Mr. O'Connell was not at home; I said, "It

"It must be a mistake, for I come by appointment; here is my card; say that Sheriff Raphael is here;" and she said, "He is not at home, sir." I left my card, and went away.

13. Did you on that day receive a letter from Mr. O'Connell?—Late at night, on my return home, I found a letter on my table; that is the first letter that appears in my statement.

14. Have you that letter to produce here?—Yes.

15. Will you produce it?—I am ordered to produce it of course.

16. *Chairman.*]—You have had a regular notice to produce it?—Do you order me to produce it?

17. *Chairman.*]—Yes.—[*The Witness produced the same.*]

18. Sir *F. Pollock.*]—Are you acquainted with the handwriting of Mr. O'Connell?—Never before.

Mr. O'Connell admitted it to be his handwriting.

[*The Letter was delivered in, and read, as follows:*]

My dear Sir, 9, Clarges-street, May 29, 1835.

I remained at home at some inconvenience until after the hour I mentioned. I was sorry I did not remain longer, as you called shortly after; but as you left no letter or other indication of acceding to my proposal, I take for granted that you decline my offer. Be it so. I only add my belief that you will never again meet so safe a speculation; I am quite sure I never will hear of one.

I have the honour to remain, my dear Sir, your very faithful,

Alexander Raphael, Esq. *Daniel O'Connell.*

19. Sir *F. Pollock.*]—In consequence of receiving that letter, what did you do?—I sent, the next morning, a friend of mine to explain to Mr. O'Connell that I went there punctually to a minute, and that I was not admitted; then my friend brought word that he saw Mr. O'Connell, and Mr. O'Connell fixed the next day, at two o'clock, to see him at his house.

20. Mr. *Warburton.*]—What day was that?—Sunday, the 31st of May.

21. Sir *F. Pollock.*]—Did you the next day wait upon Mr. O'Connell at the time appointed?—I did.

22. Did you make any arrangement with Mr. O'Connell upon the subject of the Carlow election?—Yes; Mr. O'Connell asked me whether I would accede to the terms; I said, "Yes, I had made up my mind;" and then he said that at the nomination I was to pay 1,000*l.*, and on my return another 1,000*l.*; and while he was writing it, I said, "Of course I shall not be called upon to pay this second thousand pounds until I am seated."

23. Was anything reduced into writing?—Yes.

24. Have you the writing here to produce?—I have.

25. Produce it.—[*The Witness produced the same.*]

26. Sir *F. Pollock.*]—I observe it is dated the 1st of June; how happened that?—I do not know.

27. Was it written on Sunday?—It was written at his house on Sunday.

[*The same was read, as follows:*]

My dear Sir, 9, Clarges-street, June 1, 1835.

You having acceded to the terms proposed to you for the election of the county of Carlow, viz. you are to pay before nomination 1,000*l.*, say 1,000*l.*, and a like sum after being returned; the first to be paid absolutely and entirely for being nominated; the second to be paid only in the event of your having been returned. I hereby undertake to guarantee and save you harmless from any and every other expense whatsoever, whether of agents, carriages, counsel, petitions against the return, or of any other description; and I make this guarantee in the fullest sense of the honourable engagement that you should not possibly be required to pay one shilling more in any event or upon any contingency whatsoever.

I am, my dear Sir, your very faithful,

Alexander Raphael, Esq. *Daniel O'Connell.*

28. Sir *F. Pollock.*]—Did you see Mr. O'Connell in the course of Tuesday or Wednesday?—I do not recollect; I rather think not.

29. Did you hear from him on Thursday, the 4th of June?—Yes; I have the letter.

[*The Witness produced the letter.*]

30. Did you receive this letter on the 4th of June?—Yes.

Alexander Raphael, Esq.

29 February 1836.

31. Is that the handwriting of Mr. O'Connell?—Yes.

[*The same was delivered in, and read, as follows:*]

My dear Sir, 9, Clarges-street, June 4, 1835.

I have heard from Mr. Vigors this day. Our prospects are quite bright. I will arrange your address for to-morrow's post and my own for immediate publication. I at present entertain no doubt of success. You will hear again from me to-morrow. Who is Mr. Hamilton, with whom you have deposited the 1,000*l.*? I do not know any person of that name in London. I hope I shall soon have the pleasure of sitting by your side in the House. Till to-morrow,

I have the honour to be your very faithful servant and friend,

Alexander Raphael, Esq. *Daniel O'Connell.*

32. Sir *F. Pollock.*]—Did anything pass between you and Mr. O'Connell on that day?—I did not see him; I only received that letter from him.

33. You did not see him or receive any other letter?—No, not on that day; I had written to him, I think, previously, to say that I would place the money, instead of in my banker's hands, in the hands of Mr. Hamilton: that was previously to my receiving this last letter.

34. Have you any copy of that letter?—I have not; but I have no objection to having that letter produced.

Sir *F. Pollock.*]—I do not know whether there would be any objection to producing this.

Mr. *O'Connell.*]—I have not preserved them; they are all burnt. You are entitled to give secondary evidence of them.

35. Sir *F. Pollock.*]—Do you remember on what day it was that you mentioned to Mr. O'Connell that you had deposited the 1,000*l.* with Mr. Hamilton?—I wrote to him.

36. Was that in answer to any application by anybody?—No; I thought it right to acquaint Mr. O'Connell that I had placed the money in Mr. Hamilton's hands, and after that Mr. O'Connell wrote to me the answer which has been just read.

37. Did Mr. O'Connell settle your address for the electors of Carlow?—He sent it to me to look over.

38. About what time, what day was it?—I think one of the letters mentions.

39. Did he arrange your address?—He sent me an address to look at, and I sent it back approved, and I signed it.

40. When did you next hear from Mr. O'Connell?—Will you allow me to look at my statement?

41. Have you a letter of the 8th of June?—I have one previously to that; the next is only a letter from Mr. O'Connell's son.

42. What is the date of that?—The date is Saturday. I received it on the 6th of June.

43. Mr. *Warburton.*]—Which of Mr. O'Connell's sons?—Mr. Morgan.

Mr. *O'Connell.*]—It was written by my directions, and is my son's handwriting.

[*The Witness produced the same, which was read, as follows:*]

Sir, Clarges-street, Saturday.

I am directed by my father to apologize to you for his not having written to you according to his promise. You shall certainly hear from him this evening or in the course of to-morrow; and meantime he begs to assure you that every thing is going on as favourably as possible, and quite as he or you could wish.

I have the honour to be, Sir, your obedient humble servant,

—— Raphael, Esq. *Morgan O'Connell.*

44. Did you receive a letter from Mr. O'Connell on the 8th of June?—I did.

45. Have you that letter here?—I have.

46. Produce it.—By your orders, Mr. Chairman?

46*. *Chairman.*]—Yes.

[*The Witness produced the same, which was read, as follows:*]

My dear Sir, London, June 8, 1835.

I sent off, yesterday, my letter to the electors of Carlow on your behalf. All my accounts confirm my opinion of an easy victory. I doubt whether there will be more than the show of a contest, but I am assured in any event of success. I send you a slip of

a Carlow

Alexander Raphael Esq.

29 February 1836

a Carlow newspaper, showing that you are already nominated under the most favourable auspices. I also send you the draft of an address. I beg of you to peruse it, and to return it to me with any corrections you may deem necessary; or if you approve of it, then with your signature. My wish is that you should alter it as little as you possibly can. I also send you a sealed letter from Mr. Vigors. I beg of you to return the address as near to 4 o'clock this day as you can, that I may transmit it to the Dublin Pilot for publication on Wednesday next. All the good men of Carlow see that paper. Let me know who the Mr. Hamilton is with whom you deposited the 1,000 *l.* I expected you would have lodged it to my credit at Mr. Wright's. It is time this was done.

Faithfully your's,

Alexander Raphael, Esq. *Daniel O'Connell.*

47. Sir *F. Pollock.*]—What was the sealed letter from Mr. Vigors?—A letter from Mr. Vigors to me.

48. Where is it?—[*The Witness produced the same.*]

Mr. *O'Connell.*]—I am acquainted with Mr. Vigors's handwriting; I will tell you whether it is his; that is his.

49. Sir *F. Pollock.*]—Is that the letter that you received in a sealed cover?—It is.

50. Was the cover addressed to you?—Oh, yes; but I do not keep waste paper.

[*The same was read, as follows:*]

My dear Sir, Carlow, June 5, 1835.

You will perceive by the accompanying resolutions, that you have been selected by the independent freeholders of our county as a candidate in conjunction with myself. The meeting was held on Wednesday, but we did not think it advisable to publish the resolutions until to-day, as we wished to wait for your address before we took that final step. As it has not arrived to-day, although we expected it through Mr. O'Connell, we think it necessary to publish your name at once, as the people are waiting in all anxiety to know the name of the second candidate. Everything promises certain success. The people are enthusiastic in the extreme, and many of our opponents at the last election have come over to us at the present crisis. Some doubts have arisen as to there being any contest at all. Your presence would be highly desirable, although not absolutely necessary, if very inconvenient to you. Were you to leave London by Tuesday you could arrive by that night's mail in Dublin on Thursday morning, and be down with us the same evening. You will be able to get an excellent chaise and horses that will bring you down, and answer for your canvass and during the election, at Gerty's, Baggott-street, Dublin. The election will commence on Monday, 15th.

Your's very faithfully,

Let me have a line from you by return of post. *N. A. Vigors.*

51. Sir *F. Pollock.*]—Do you recollect whether you saw or heard anything from Mr. O'Connell on the 9th of June, the day after?—No, I do not recollect.

52. On the 10th of June, did you receive a letter from Mr. O'Connell?—I did.

[*The Witness produced the same.*]

53. Do you know whether that is the handwriting of John O'Connell which is added?—Mr. *O'Connell.*]—Yes, it is.

[*The letter was read, as follows:*]

Sir, Wednesday, June 10, 1835.

I beg you will hand my son, Mr. John O'Connell, the 1,000 *l.* placed with you by Mr. Raphael for my use. My son will give you a voucher at foot.

I have the honour to be, Sir, your obedient servant,

Daniel O'Connell.

John Hamilton, Esq., 2, Henrietta-street.

There is an addition in John O'Connell's handwriting.

I acknowledge to have received 1,000 *l.* by draft on Wright & Co.

John O'Connell.

June 10, 1835.

54. Sir *F. Pollock.*]—Did you receive any other letter on that day from Mr. O'Connell, directed to yourself?—Yes, I did.

55. Was this the 10th of June?—Yes.

[*The Witness produced the same, which was read, as follows:*]

Alexander Raphael, Esq.

29 February 1836.

My dear Sir, Wednesday.

It is not my fault that Mr. Feargus O'Connor called on you; refer him and anybody else to me. I want part of the 1,000 *l.* to send over. How shall I communicate with Mr. Hamilton?

Faithfully your's,
Daniel O'Connell.

All well, quite well, in Carlow.

56. Sir *F. Pollock.*]—Did you receive that letter before the application was made for the 1,000 *l.*?—The other letter was received by Mr. Hamilton, that letter in which Mr. John O'Connell acknowledges the receipt; but I have kept them all together myself; that was not received by me.

57. "I want part of the 1,000 *l.* to send over; how shall I communicate with Mr. Hamilton;" did you give any answer to that?—No, I gave no answer; having given directions to Mr. Hamilton to pay the 1,000 *l.*, of course I had nothing more to do with it. I sent a friend of mine to say that Mr. Feargus O'Connor called upon me, and that is the answer that Mr. O'Connell sent.

58. Did you hear from Mr. O'Connell on the 13th of June?—Yes.

59. Will you hand in the letter, if you received any on that day?—

[*The Witness produced a letter, which was read, as follows:*]

My dear Sir, Clarges-street, June 13, 1835.

I send under this cover a letter I received for you; it came to me sealed as it stands. I am glad to tell you that our prospects of success are, I do believe, quite conclusive. If only one liberal is returned, you are to be the man. I send you the form of a qualification oath, which you must take, this day, if *possible*. You will have to fill up the name or names of the parish or parishes in which your qualification lands are situate, and also the name of the county. It must be sworn before two magistrates. This is a measure of precaution, but necessary to prevent any excuse for a petition. When you have copied this oath, and filled up the blanks, and sworn it before two Justices of the Peace, let me have it, that I may transmit it to Carlow by this day's post. You must therefore go about the matter at once. I have made all the pecuniary arrangements, &c. &c.

Believe me to be, respectfully, your faithful servant,
Alexander Raphael, Esq. *Daniel O'Connell.*

This was enclosed in it.

60. You now produce the enclosure in that letter?—Yes.

[*The same was read, as follows:*]

I, Alexander Raphael, do swear, that I truly and *bonâ fide* have such an estate in law or equity, to and for my own use and benefit, of or in lands, tenements or hereditaments (over and above what will satisfy and clear all incumbrances that may affect the same) of the annual value of 600 *l.* sterling above reprizes, as doth qualify me to be elected and returned to serve as a member for the county of Carlow, according to the tenor and true meaning of the Act of Parliament in that behalf, and that my said lands, tenements or hereditaments are lying and being within the parish (or parishes) of in the county of . Sworn before us, this day of June 1835, being Justices of the Peace for the county of .

A. R.

A. B.
C. D.

61. Is that Mr. O'Connell's handwriting?—Yes.

62. Have you the sealed letter which came under cover?—I have not; I think it was a letter from Ireland.

63. Have you not got that?—I do not know what letter that is; it came, I suppose, under Mr. O'Connell's frank; it was a letter of no consequence.

64. When did you next hear from Mr. O'Connell?—On the 17th.

65. Produce the letter you received on that day?—[*The Witness produced the same. Mr. O'Connell admitted it to be his handwriting.*]

66. Is that your handwriting, "Received the 17th June"?—It is.

[*The same was read, as follows:*]

My dear Sir, Wednesday.

I send you Vigors' letter to me, just received. You see how secure we are. Return me this letter, as it vouches 800 *l.* for me; with that you have nothing to do, as of course I stand between you and everybody.

Faithfully your's,
Alexander Raphael, Esq. *Daniel O'Connell.*

Alexander Raphael Esq.

29 February 1836

67. Did that note or letter contain any letter from Mr. Vigors?—I do not recollect.

68. Did you return the letter, whatever it was?—I did.

69. Have you any copy of it?—I have not.

70. Mr. *Ward.*]—Did you read it?—I do not know; it was about some money matters, and I did not pay any attention to it; I returned it immediately.

71. Sir *F. Pollock.*]—Do you remember whether that letter from Mr. Vigors contained anything about the election, or the prospects of it?—Upon my word, I do not recollect.

72. Did you the next day receive any letter from Mr. O'Connell?—Yes.

73. Will you produce it?—[*The Witness produced the same.*]

74. Is that Mr. O'Connell's handwriting?—Yes.

[*The same was read, as follows:*]

My dear Sir, June 18, 1835.

I enclose you the bulletin of this morning; nothing can be better.

Ever your's faithfully,

Alexander Raphael, Esq. *Daniel O'Connell.*

Mr. Tyrrell did not work with the people at the last election.

75. Did you hear from Mr. O'Connell on the 21st of June?—I did.

76. Produce, if you please, the letter which you then received. Is that Mr. O'Connell's handwriting?—Yes.

[*The Witness produced the same, which was read, as follows:*]

My dear Sir, 9, Clarges-street, half-past three.

Glorious news! Raphael and Vigors returned on Thursday. I do not know the exact majority, but I know *the fact.* I heartily congratulate you; my communication is from a Cabinet minister; but this is private. You can take your seat to-morrow.

Ever your's faithfully,

Daniel O'Connell.

77. Were you at the head of the poll, or Mr. Vigors?—Mr. Vigors, by one.

78. Did you hear from O'Connell on the 22d of June?—Yes.

79. You produce the letter?—Yes.

80. Is that Mr. O'Connell's handwriting?—Yes.

[*The Letter was read, as follows:*]

Ultimate majority, 56. You are entitled to get your letters free this day.

Alexander Raphael, Esq., M.P.

81. Was 56 the majority that you had, or that Mr. Vigors had?—Fifty-six was the majority that Mr. Vigors had; I think I had 55.

82. Do you remember on what day you took your seat?—I do.

83. What day was that?—On Thursday, the 25th of June.

84. Was there a petition against your return and Mr. Vigors'?—Yes.

85. Did you hear from Mr. O'Connell, after that petition, upon the subject of it; did you receive a letter from him on the 17th of July, or about that time?—Yes, I saw Mr. O'Connell on the evening of the petition; I was told of it.

86. What day was that?—Friday.

87. Mr. *Warburton.*]—What day of the month?—Friday, the 3d of July.

88. Sir *F. Pollock.*]—It appears by the Votes, that it was to be taken into consideration on Tuesday the 28th of July.—(*To the Witness.*) On the 17th of July, did you receive a letter from Mr. O'Connell?—Yes.

89. Is that the letter which you produce?—Yes.

90. Is it in Mr. O'Connell's handwriting?—(Mr. *O'Connell.*) It is.

[*The same was read, as follows:*]

My dear Sir, 9, Clarges-street, 17 July 1835.

Send to Mr. Baker the particulars he wants of your qualification. I will stand between you and him for all expenses. I promised you, and repeat distinctly my promise, that upon payment of the second 1,000*l.* to which you are at all events engaged, no demands shall be made upon you for one additional sixpence. Do then at once pay the other 1,000*l.* nto the Messrs. Wright's, to my credit. Confer with Mr. Baker as to the defence, as much as he chooses. I am bound to indemnify you from all expenses beyond that 1,000*l.*; that is, the second sum. Believe me to be very faithfully your's,

Alexander Raphael, Esq. *Daniel O'Connell.*

Alexander Raphael, Esq.

29 February 1836.

91. Did you employ Mr. Baker upon that occasion?—No.

92. Had you ever employed Mr. Baker before that, upon any occasion?—Never; I had never seen him before.

93. Were you consulted by anybody upon the employment of Mr. Baker?—No.

94. Did you take any part in the proceedings at all?—No, I had nothing to do with it; that was my answer to everybody.

95. Did you attend the Committee during the inquiry?—I believe I did come in there once or twice, but I took no interest in it; I had a friend of mine here always, Mr. Hamilton.

96. Was Mr. Hamilton the professional gentleman that you consulted upon the transaction?—Yes.

97. Do you know on what day the Committee met?—The 28th; the ballot was on Tuesday, the 28th of July.

98. Did you receive a letter from Mr. O'Connell on or about the 25th of July?—Yes, I did.

99. Is that Mr. O'Connell's handwriting?—Yes, to the best of my knowledge.

[*The same was read, as follows:*]

My dear Sir, 9, Clarges-street, July 25, 1835.

You did not say to whom I was to apply for the second sum of 1,000 *l.*, according to our arrangement. It is necessary, *absolutely necessary*, it should be paid this day. Let me know at once who is to give it to me. I have a note from Vigors, to whom I am pledged, pressing me on this subject. I, of course, am bound to him for the money.

Faithfully your's,

Alexander Raphael, Esq., M.P. *Daniel O'Connell.*

100. Did you write an answer to that letter; or did you see Mr. O'Connell; or what step did you take?—I think I wrote an answer.

101. Have you a copy of the letter that you sent to him?—I have the very letter.

102. How happen you to have the very letter?—Because the receipt of the 2,000 *l.* is in the very letter.

[*The letter, dated the 26th of July 1835, was read, as follows:*]

My dear Sir,

I regret to say that Mr. Hamilton has just sent to inform me that it will be impossible for him to wait upon you to-morrow morning, but that he will be in Henrietta-street to receive you, if you would have the goodness to call upon him to-morrow about eleven.

Your's faithfully,

Daniel O'Connell, Esq., M.P. *Alexander Raphael.*

103. You say that that is the very letter that you sent?—Yes, the very letter.

104. Is that Mr. O'Connell's handwriting which is at the foot of it?—I believe so.

[*The same was read, as follows:*]

Sir, July 27, 1835.

Be pleased to give my son, Mr. John O'Connell, the second 1,000 *l.* in your hands of Mr. Raphael's money, and he will give you a voucher.

Your obedient servant,

—— Hamilton, Esq., Henrietta-street. *Daniel O'Connell.*

Sir *F. Pollock.*—There is a voucher purporting to be in the handwriting of John O'Connell.

Mr. *O'Connell.*—Yes, it is in his handwriting.

[*The same was read, as follows:*]

July 28, 1835.

I acknowledge to have received one thousand pounds, by order on Wright & Co., from Mr. Hamilton.

John O'Connell.

Mr. Serjeant *Wilde.*—There are different dates.

105. Sir *F. Pollock.*]—The letter which is addressed from Mr. Raphael to Mr. O'Connell is dated the 26th of July; the order for the payment of the money is dated the 27th; and the acknowledgment of the receipt of it is on the 28th; in

in the mean time did you receive another letter dated the 27th of July?—I did; it was before the money was received.

106. Is that Mr. O'Connell's handwriting?—Yes, I believe so.

[*The same was read, as follows:*]

Sir, 9, Clarges-street, July 27, 1835.

I can hardly restrain my feelings at learning that you shrink from performing your engagement with me. Rely on it you are mistaken if you suppose that I will submit to any deviation from our engagement. I say no more at present, in the hope that there may be some mistake which you will instantly do away. There can be no mistake on my part.

I am, in the mean time, your obedient servant,

Alexander Raphael, Esq. *Daniel O'Connell.*

I hope in justice to me the answer may be read.

107. Did you write an answer?—I did.

108. Have you a copy of it?—Not in manuscript; I have a copy in the statement here.

109. Have you the means now of stating the copy of it?—Yes.

110. Was any copy taken and kept?—I destroyed the copy, having put it into print.

111. Have you the means now of stating what was the substance of that letter?—

Sir, Great Stanhope-street, 28th July 1835.

I deny most positively that I have in any respect shrunk from performing my engagement with you. On the other side, you will find a copy of the letter you gave me (viz. that of June 1st.) You must recollect the conversation we had prior to that being written. My understanding at that time was, and ever since has been, that I was to risk only 1,000*l.* and that the other 1,000*l.* was to be paid only in the event of the seat being secured. You, it seems, put a different construction on it; and as I presume we both wish only what is right, I would suggest that the question should be decided by some mutual friend. In the mean time, to prevent all possibility of doubt as to the good faith on my part, I have authorized Mr. Hamilton to pay the 1,000*l.* In conclusion, it pains me to say, that the tone of your letter was quite unwarranted by anything on my part.

I am, Sir, your faithful and obedient servant,

To Daniel O'Connell, Esq. *Alexander Raphael.*

112. The Committee was ballotted for on the 28th of July?—On the 28th.

113. What day was that?—Tuesday.

114. Do you know whether the Committee met on the next day for two or three days after?—Yes, they met every day, I believe, from that time.

115. Had you any interview with Mr. O'Connell upon the progress of the Committee, what was doing in it?—No, it was very difficult to get hold of Mr O'Connell; but on Friday, the 31st of July, as I was coming to the House, the doorkeeper gave me a letter to give to Mr. Vigors; as soon as I found Mr. Vigors, I gave the letter to him: half an hour after, Mr. Vigors came to me to say, "This is a letter of great importance, it relates to our election; I must see Mr. O'Connell upon it." I said, "I have nothing to do with it;" and then Mr. O'Connell, in leaving the House, asked me to call upon him on Sunday, the 2d of August. I said, I had made some arrangement to go on the Sunday, after a long absence, to my house at Ditton, but of course pleasure must give way to business, and therefore I would be with him on Sunday at two o'clock; I called upon him on Sunday at two.

116. Did anything pass then?—Mr. O'Connell said that he would not make up his mind till the result of the second vote; and he asked me to meet him at the Westminster Club on Tuesday, the 4th of August.

117. Have you copies of any of the letters you sent to him, or only so much of the letter as you published?—There is only one letter, the first letter before the election, which I have not kept a copy of; but my memory being very retentive, I think I can give the substance.

118. Have you copies of all the other letters besides that for which you have been obliged to refer to the printed papers?—No, I have not kept copies.

119. Have you any copy of a letter that you sent to him on the 5th of August?—No, I have not; that appears in the statement.

120. Did you hear from him on the 3d of August?—Yes.

121. Have you that letter?—Yes.

122. Will you produce it?—That is a letter which, with deference, I would rather not produce; that is a letter strictly confidential, and I have always said that I will not produce it without Mr. O'Connell's permission.

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123. Mr. *Chairman.*]—All those letters are confidential?—This was written upon a point strictly confidential.

124. Mr. Serjeant *Wilde.*]—If that is a letter which the gentleman has distinctly alluded to in his printed letters, of course we waive all objections.—

[*The same was read, as follows:*]

(Strictly confidential.)

My dear Sir, 3d August 1835.

TELL me, in the strictest confidence, whether you have any wish to be *a baronet*; of course I do not ask you without *sufficient* reason. One word is not to be communicated to anybody, until I know your determination.

Believe me to be your's, very faithfully,
Daniel O'Connell.

Then, in justice to me, I hope my answer may be read.

125. Have you a copy of that answer?—I have.

[*The Witness delivered in the same, which was read:*]

My dear Sir, Great Stanhope-street, 3d August 1835.

I have no hesitation in stating, that to obtain the honour you allude to, would be a very high step in my ladder of ambition; but I must in candour say, that I should consider it a poor recompense for the loss of my seat in Parliament, which, from what you told me yesterday, is, I fear, in great jeopardy. I rely, however, on your fulfilling your engagement with me to secure my seat, if possible, by fighting the battle so long as a bad vote for the petitioners remains on the poll, or at all events to the end of the present Session. To allow 56 of our voters to be struck off would leave fearful odds to contend with on a future vacancy.

I am, my dear Sir, your faithful and humble servant,
To Daniel O'Connell, Esq. *Alexander Raphael.*

Part of this letter appears in my printed statement.

126. Did it at that time appear that the prospects of ultimate success before the Committee were not so favourable as they were deemed at one time?—I could give no opinion; I was quite a novice in those matters; but I was told by Mr. Vigors that we could afford to lose a few votes, because they would lose a greater number on the other side.

127. On that Sunday, the 2d of August, did you receive any intimation that afforded the prospect of failing before the Committee?—Mr. Vigors seemed very much disheartened, and so did Mr. O'Connell, when I called upon him on Sunday; but Mr. O'Connell said, "I shall not make up my mind till I see how the second vote is disposed of;" and I was to meet him on Tuesday at the Westminster Club, and there he would tell me.

128. Did you meet him on the 4th of August, at the Westminster Club?—I did.

129. Was anything then stated about what progress the Committee had made in their proceedings?—The first vote was struck off.

130. Was that a vote of yours, or your opponents'?—Of ours; but as soon as I got to the Westminster Club, I saw Mr. O'Dwyer there; he said, "You have lost a vote, you will be unseated." And then after that I saw Mr. O'Connell, and there I heard, for the first time, that I had been paying for Mr. Vigors; until that day, I was in the firm belief that as I placed 2,000 *l.* that so did Mr. Vigors place 2,000 *l.*; and there I heard, to my very great surprise and regret, that I was not only paying for myself but for my colleague.

131. Had you ever been consulted on the conduct of any part of the case; you have said that you did not pay the agent or counsel?—No, only our counsel afterwards; we were obliged to hunt for counsel; we could not get any; Mr. Harrison was our counsel, and he could not attend; and Mr. Hill could not attend; and we were obliged to hunt all over London for counsel, and at last we got one on the last day.

132. Did you write to Mr. O'Connell on the 5th of August?—I did.

133. Mr. *O'Connell.*]—There is a letter of the 3d of August?—That is put in.

134. Sir *Frederick Pollock.*]—Have you a copy of the letter of the 5th of August?—My manuscript copy I have destroyed, because I had them printed afterwards.

135. Have you destroyed your copy?—I have.

136. Do you know that this print is correct?—Yes, I could make an affidavit of it.

137. Is

137. Is that, to the best of your belief, a copy of the letter that you addressed to Mr. O'Connell on the 5th of August?—Verbatim.

Alexander Raphael, Esq.

29 February 1836.

[*The letter was read, as follows:*]

My dear Sir, Great Stanhope-street, August 5, 1835.

I cannot express how deeply I feel in being left by you in the painful dilemma either of running away from the fight with a majority of 56 in our favour, or to commence from to-morrow an expensive and uncertain contest without a single sixpence from my colleague. I have, however, by the advice of my friends, determined to continue the contest for a day or two longer, reserving always to myself, if necessary, for the vindication of my character towards my constituents of Carlow, any other mode of proceeding which I may be advised to adopt. I therefore once more call upon you, as an act of justice to me, to fulfil your engagement, as you must be convinced (and you have yesterday declared) that I have acted throughout the transaction in the most honourable manner towards you.

I am, my dear Sir, your faithful and obedient servant,
Alexander Raphael.

138. What was the meeting that you allude to in that letter, in which you say, "You have yesterday declared"?—That was the meeting of the 4th, where I was told for the first time that I was fighting the battle for myself and Mr. Vigors; and Mr. O'Connell said to Mr. Vigors, "Of course, Mr. Vigors, you want Mr. Raphael to come half ways with you in the expenses," and Mr. Vigors said, "No, I do not wish to spend a crown-piece; I do not want to be in Parliament." I think I may be allowed, by permission of the Chairman and the Committee, to say, that before we parted, Mr. O'Connell told me that that business was all right; that it would be done in three days.

139. What business?—The business that he alluded to on the 3d of August.

140. When was that?—On the 4th of August.

141. That was the day after you received that letter, and sent that answer?—Yes; I sent the answer the same day, and the meeting was on the next day, the 4th; and after what passed, as he was leaving the house, he went to the door with the door half open, and he said, "That is all right; it will be done in three days."

142. Did he say that in the presence of Mr. Vigors, or after Mr. Vigors had left the room?—Mr. Vigors had not left the room, he was in a corner of the room, and Mr. O'Connell was going out, and I saw him to the door, and he said, "That is all right; it will be done in three days."

143. Was that all that he said?—Yes, on that subject.

144. Did he ever mention the subject again?—Never.

145. Did you receive any other letter from him?—Never from that time, nor ever received a visit from Mr. O'Connell.

146. Did you ever receive an answer to that letter of the 5th of August?—No.

147. Either in writing or by word of mouth?—No, our connexion seemed to cease from that day.

148. Did you continue to attend the Committee, or instruct anybody to attend the Committee?—I left it to Mr. Hamilton, when I found it was all thrown on me.

149. Did you instruct anybody on your behalf to go on with resistance to the petition?—Yes.

150. Who was that?—Mr. Hamilton; but Mr. Baker was the agent; of course Mr. Hamilton only attended as my friend, to see that I was protected.

151. Do you know how many days the Committee continued to sit after that time?—I think it continued to sit till the 19th of August; I was expelled the house that day, on Wednesday the 19th of August.

152. Have you paid either Mr. Hamilton or Mr. Baker?—I gave cheques to Mr. Hamilton upon my banker, and Mr. Hamilton gave cheques upon the same banker in his name to Mr. Baker.

153. As you understood?—Yes.

154. How much money have you paid to Mr. Hamilton?—£. 1,250.

155. Was that in reference to the expenses of the petition before or after Mr. Vigors withdrew, or generally; do you know to what time those expenses related?—Yes. Mr. Baker very soon called for more money, and I said he could not have spent 1,000*l.* already. He said, "Yes; I have spent 800*l.* for counsel only;" and he wanted more money, and I gave Mr. Hamilton a cheque for 500*l.* Then I gave a second cheque for 500*l.*; and when Mr. Baker wanted more money, I told Mr. Hamilton that I would not pay another farthing until I had credit for the second thousand pounds paid into Mr. O'Connell's hands.

Alexander Raphael, Esq.

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156. Are the Committee to understand that from the 5th of August to the present time you have had no written or verbal communication with Mr. O'Connell upon the subject of the election?—None at all.

157. Have you produced all the letters that you received from Mr. O'Connell during that period?—I have.

158. You have no others?—No others; I have produced all his and all mine, except a letter that I wrote to Mr. O'Connell previous to this election—a few days previous to this election—previous to his visit to me.

159. Mr. *Warburton.*]—Previous to what visit?—Previous to his visit to me on the 28th of May. I wrote to him on the 23d of May.

160. Sir *F. Pollock.*]—Have you a copy of that letter?—I have not kept a copy of it, but it is from my memory; but if Mr. O'Connell has it, I should wish it to be produced.

Mr. *O'Connell.*]—I have it not.

161. Sir *F. Pollock.*]—Have you anything which you believe to be a copy of it?—Yes.

162. Before any of the Members were unseated, that letter was written?—Yes.

[*The same was read, as follows:*]

Sir, Great Stanhope-street, May 23d 1835.

In one of your many brilliant speeches, all which I have read with eager delight, there is this remarkable, and by me never-to-be-forgotten sentiment: "Ireland is the idol of my worship; whoever is a friend to her is as dear to me as the red blood that flows through my veins." I am a friend to Ireland, and therefore I call upon you, Sir, to redeem that noble pledge. I do not ask you to assist me to a seat in Parliament, but to say you shall have a seat, and that very soon. My gratitude to you shall be unbounded, and I shall endeavour to do my part towards relieving and making happy the brave inhabitants of your ill-treated country.

163. Was there anything more?—Nothing more than that, I believe.

164. Mr. *Warburton.*]—Is that a verbatim copy, or the substance of a letter that you wrote, as nearly as you can recollect it?—It is more than the substance; I think it is verbatim.

165. Written from memory?—Yes

166. Mr. *O'Connell.*]—As far as it goes, I take it to be verbatim?—I used to repeat it to myself; I am very correct.

167. Lord *Francis Egerton.*]—Are you sure that that was the whole of the letter?—Yes; there was nothing more. But this is written on the 23d; I must begin with the Wednesday preceding. On the 20th of May, on Wednesday, I, as Sheriff of London, was invited to dine in the London Tavern to celebrate the anniversary of the Jews' Hospital. In the regretted absence of the Marquis of Westminster, I was requested to take the chair; but seeing in the room a gentleman who moved in a higher sphere than myself, the Deputy-governor of the Bank of England, I insisted upon his taking the chair. It came to my turn to propose the chairman's health, and in my speech I made some allusion to the Jews; and after the collection, to which I contributed my mite cheerfully, Mr. Isaac Goldsmid came round to me, and asked me if I knew Mr. O'Connell. I said, "Everybody knows Mr. O'Connell; but I have not the honour of an acquaintance with him. But I have dined twice with him, once at St. Patrick, and the other time to commemorate the return of Colonel Evans; but I have no other acquaintance with him." And he said, "He dines with me on Sunday; will you meet him?" I said, "I am not in the habit of receiving invitations on a Sunday, because I spend the day with my family;" but I accepted the invitation, and immediately then thought of putting into execution a thought which I had in my mind of writing to Mr. O'Connell to show my anxiety for a seat in Parliament.

168. Then on Saturday you wrote that letter?—Yes; and on the Sunday I had the honour of dining with Mr. O'Connell, and he took no notice of it, which I thought rather uncourteous. No answer came on Monday or Tuesday, and on Wednesday I met Mr. Vigors at the Zoological; and the Thursday after, Mr. O'Connell came.

169. Mr. *Warburton.*]—Did you meet Mr. O'Connell at Mr. Goldsmid's?—Yes.

170. Mr. *H. G. Ward.*]—You wrote the day before you saw Mr. O'Connell?—Yes.

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171. Mr. Serjeant *Wilde.*]—It was the day before you saw Mr. O'Connell you wrote that letter?—Yes, I wrote on the 23d; I dined with him on the 24th.

172. Sir *F. Pollock.*]—On the Sunday he took no notice of it?—No.

173. And on Wednesday the election was declared void; and Mr. O'Connell called upon you on the Thursday?—Yes, Wednesday was the day I had met Mr. Vigors at the Zoological.

174. Have you told the Committee what passed between you and Mr. Vigors on that day?—I have not.

175. State, if you please, to the Committee, what passed between you and Mr. Vigors on the 27th of May?—I went there at the request of a particular friend of mine to attend the annual Zoological meeting, for the purpose of giving my vote on a question in which he was interested; after giving my vote, and meeting a great many of my acquaintances there, Mr. Vigors came to me, and said,—I do not know whether he came from the House, or had received accounts from the House,—but he said, "Half an hour ago, Messrs. Cavener & Bruen were unseated, and Carlow county is now open for you. Mr. O'Connell has some friend in view." I said, "Perhaps that is myself;" because I had a right to say, that having written to Mr. O'Connell on the preceding day, of course I thought if there was any likelihood of my being returned, that I should be the friend.

176. Having met him on the Sunday, and not meeting with a refusal?—Yes.

177. Mr. *H. G. Ward.*]—You were acquainted with Mr. Vigors previously?—Yes, of course, I had seen him before that.

178. Had you talked with him on any matters connected with the election before?—The general election.

179. Do you mean the election in January?—Yes.

180. You have been in connexion with Mr. Vigors about the general election?—I cannot say in connexion with him, but Mr. Vigors called upon me at the Old Bailey.

181. Sir *Frederick Pollock.*]—You have stated that you saw Mr. Vigors on the 27th of May; did you see him afterwards?—I think he called upon me, to the best of my recollection, on Friday and Saturday.

182. As far as you can recollect, state to the Committee the whole of the conversation that passed between you and Mr. Vigors on the 27th of May?—He may have mentioned something to me about money matters, but I paid no attention to it; I wanted to enter into no arrangement with him, having written to Mr. O'Connell, and expecting an answer from him; and, in a great crowd, he might say something about money, but of course it would not be for me to enter into it with him.

183. You have stated all that passed between you and Mr. Vigors at that time?—Yes.

184. Did you see Mr. Vigors either on the Thursday, the Friday, the Saturday, or the Sunday immediately after the Committee had declared the election void?—I think he called on Friday and Saturday, and I know on Sunday morning, as I had just returned from chapel, he called to say, "I cannot find Mr. O'Connell; I have been hunting for him; where is he?"

185. Are you sure that Mr. Vigors called upon you on those days?—I will not be sure; but I think he called on Friday and Saturday.

186. Are you sure that he called upon you on Sunday?—I am certain of it, for he said, "I have been hunting for Mr. O'Connell, and I cannot find him; do you know where he is to be found?" I would not tell him that I had an appointment with him at two o'clock; and after I left Mr. O'Connell's house on Sunday, in going through Hanover-square, I saw Mr. Vigors, but would not tell him that I had just seen Mr. O'Connell, and had made the arrangement with him.

187. Did Mr. Vigors call upon you before the meeting between you and Mr. O'Connell, when the terms were settled?—He called upon me on Friday and Saturday; on Sunday also he called, but I would not enter into it.

188. But you saw him afterwards?—I saw him after I left Mr. O'Connell on Sunday, about three o'clock, in going through Hanover-square; I suppose he was going to Mr. O'Connell; and my sister-in-law was in the carriage with me; and I said, "That is Mr. Vigors, but I would rather not see him, as he may ask me some questions which I would rather not answer."

189. Mr. *Warburton.*]—You do not know that he saw you when you saw him?—No.

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190. Sir *F. Pollock.*]—Had you had any communication with Mr. Vigors or with Mr. O'Connell upon the subject of the Carlow election before all this?—Not with Mr. O'Connell; Mr. Vigors used to come to me there.

191. With whom had you any communication upon that subject?—Mr. Vigors called upon me there with a Mr. Tyrrell.

192. Who is he?—He is the brother of the Rev. Mr. Tyrrell, who was over here.

193. Did you see Mr. O'Connell upon that subject, or talk to him about it?—No.

194. Was your first application to Mr. O'Connell upon this subject by that letter, which you have stated, on the 23d of May?—Yes; I had long thought of writing, and I thought that a good opportunity; as I was to have the honour of dining with him at Mr. Goldsmid's, I thought it just the time.

195. And was the first notice that Mr. O'Connell took of that on the 28th of May?—Yes.

196. Did you go to Ireland upon the occasion of the election at all?—Not at all; I wished to go, for they were pressing me from Ireland, even Mr. Vigors, to go over, and Mr. Tyrrell, and they all wished me to go; and I said to Mr. O'Connell, "It will be rather inconvenient for me, as Sheriff, to go over; but perhaps on a recommendation made to the Judges they will consent to my going;" but Mr. O'Connell said, "No, there is no occasion for you to go."

197. Then you did not go?—No; but I had made up my mind to go immediately on my return. I said, "I must go and thank them in person;" and they said, "No, we cannot spare you; you cannot go now."

198. Have you any copy of the address by which you were declared?—No; I signed that very address Mr. O'Connell sent to me; I made no alteration.

199. Have you no means of furnishing the Committee with a copy of that address?—No, I never saw it afterwards; but I believe it is in the Carlow Sentinel that it was published in.

200. Mr. *Warburton.*]—You signed your name to it?—Yes.

201. And you read it first, of course?—Yes, but I made no alterations in it.

[The Witness withdrew.]

Martis, 1° *die Martii*, 1836.

MEMBERS PRESENT.

Mr. N. W. Ridley Colborne.	Mr. Ord (Newcastle.)
Lord Francis Egerton.	Sir Charles Broke Vere.
Mr. Bannerman.	Mr. Warburton.
Mr. Barneby.	Sir Eardley Wilmot.
Sir Ronald Ferguson.	Mr. H. G. Ward.
Sir John Yarde Buller.	
Sir Frederick Pollock.	Mr. Serjeant Wilde.

MR. NICHOLAS W. RIDLEY COLBORNE IN THE CHAIR.

Alexander Raphael, Esq., called in; and further Examined.

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202. Sir *Frederick Pollock.*]—BEFORE you became a candidate for the county of Carlow, had you ever been in that county at all?—No.

203. Had you ever been in Ireland?—No.

204. Had you any connexion whatever with the county of Carlow?—No.

205. Not in any way?—No.

206. In any communication that you had with Mr. O'Connell upon the subject of your becoming a candidate, did you learn from him whether he was acting for Mr. Vigors or on his own behalf?—For his own behalf.

207. In your verbal communication with Mr. O'Connell, was the name of Mr. Vigors ever mentioned any more than it is in the correspondence?—He mentioned his name to me, that he was to be my colleague, on the Sunday, the 31st of May; and my answer was, I wish Mr. Latouche had been my colleague.

208. But was he ever named as the person, the principal in the bargain?—No, never.

209. In any communication with Mr. Vigors, did you ever learn from him that he was the principal?—Never.

210. Do

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210. Do you know at what time Mr. Vigors went to Ireland?—I believe on Sunday, the 31st of May; he told me that he would go to Ireland on Sunday, the 31st of May.

211. You stated yesterday, that you saw him in Hanover-square on that day after your interview with Mr. O'Connell?—Yes, I did so; he told me on the Sunday, at one o'clock, that he could not wait longer, but that he must go to Ireland that evening.

212. Do you know at what time he returned?—I saw him on Sunday the 28th of June, as I came from chapel; I saw him at my door.

213. Did you ever make any application to him to guarantee and save you harmless from the expense?—Never.

214. Did he ever apply to you to make any payment of money?—Never.

215. Did he ever make any offer as the principal, to comply in the fullest sense of the honourable engagement made to indemnify you?—He did not know of the engagement; I never told him what engagement I had made.

216. Then is the Committee to understand, that you neither applied to him, nor did he ever make any offer to you?—Certainly.

217. Did you ever learn from Mr. O'Connell that any of the money had found its way into Mr. Vigors' possession?—That letter which he sent to me, requesting me to send back to him a voucher to Mr. Vigors, that is the only time that he mentioned the name of Mr. Vigors. He said, send me the voucher back—that is, the letter.

218. You do not particularly remember the contents of that letter?—No, I do not; I had nothing to do with it; I was to be returned without any further expense; as he wished it to be sent back, I sent it back immediately to him.

219. Did Mr. Vigors contribute, to your knowledge, any part of the expense in any way?—Never.

Mr. *Warburton.*]—Does that mean that he did or did not contribute, or that the witness does not know?

220. Sir *F. Pollock.*]—To your knowledge, did Mr. Vigors contribute to the expenses of the election in any way?—As I said before, as I placed 2,000*l.* I thought he would do the same.

221. But from any communication you had, either with Mr. Vigors or Mr. O'Connell, did you learn whether Mr. Vigors contributed to the expense in any way?—I did not.

222. When were you served with the Chairman's summons?—I was not served personally; but it was left at my house in Stanhope-street, I think on Wednesday; I was not in town.

223. Has more than one summons been served upon you?—Yes.

224. When did you first see Mr. Lyon?—Yesterday.

225. Was that here in the Committee-room?—Yes, in the Committee-room; I did not know Mr. Lyon, only seeing him near you, I thought it must be Mr. Lyon.

226. Did you know that he had called upon you?—I did.

227. May I ask you, did you endeavour to avoid seeing him?—I did not endeavour to avoid, but I told my solicitor that I would not see Mr. Lyon; that I did not want to mix myself up as a party in this business; that I would receive the summons of course, and even without a summons I should have attended here.

228. Did you give any directions to your solicitor about communicating with him?—I wrote to my solicitor to have no intercourse with him on this business in my behalf.

229. Mr. Serjeant *Wilde.*]—Are the Committee to understand that you have detailed, as far as your memory serves you, all your communications with Mr. O'Connell on the subject of your representing the county of Carlow?—Not all the conversations that passed; I answered every question that was put to me; I thought I was not permitted to go on to any conversation; I am prepared to answer every question.

230. Have you referred to the several interviews that took place with Mr. O'Connell, as far as your memory serves you?—Yes.

231. But you have not detailed the whole of the conversations that occurred, but limited yourself to answering the questions?—Yes.

232. Has more passed than you have detailed?—Not much more, for

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Mr. O'Connell's time, of course, was very precious; I was never with him more than seven or eight minutes.

233. Have you produced or stated to the Committee the contents of all the letters in your possession relating to that subject; that is, your representing Carlow?—Yes.

234. You mentioned having destroyed some copies of letters of your own to Mr. O'Connell, when did you destroy those copies?—I cannot give the date, but when I had them printed I thought there was no occasion to keep a manuscript copy of them.

235. You spoke from a printed copy, with the name of Limbird in the Strand, was not that the copy from which you spoke yesterday?—I do not know the man's name; not Limbird, I think.

236. Was it a copy similar to what I hold in my hand?—Yes; I do not recollect the name of Limbird.

237. To what occasion of printing was it that your answer referred; was it to this little pamphlet?—It is printed by Painter.

238. Then you referred, did you, to a print of the letter by a person of the name of Painter?—Yes.

239. Did he print it by your desire?—No.

240. Or at your expense?—No.

241. Was it on the occasion of that being printed and published?—I must explain; he first of all printed them at his own expense. The first letter that appeared, to my great surprise, it was printed on the Monday after it appeared in the papers on the Saturday, but as there were some errors in it respecting the word "bulletin," and some of the letters were not in the right order, then he said he would print a couple of thousand for me at my expense; the word "bulletin" was put for "ballot;" and then the letters were put in the right order, that was all.

242. Was it after the printing of that pamphlet that you destroyed the copies?—That I cannot say.

243. You recollect, do you, the fact of destroying them?—Yes.

244. You destroyed them yourself, did you?—Yes.

245. But the date you cannot tell?—No, I cannot.

246. Where did you destroy them?—At my own house, either in Stanhope-street or at Ditton, I do not know, or perhaps at Brighton.

247. If you recollect the fact of destroying them, cannot you remember the place where that occurred?—If I did, I would at once say.

248. They are not now, to the best of your belief, in existence, in the possession of any other person?—Yes, they might be in the possession, because the papers published it; they might be in the possession of the copies of those.

249. Did you furnish any copies to that printer?—No.

250. Did you hand over copies to any other person?—Yes.

251. To whom?—To The Times newspaper.

252. Have you had those copies back again?—No.

253. Did you hand the manuscript, then, of that letter to The Times newspaper?—No.

254. Did you cause it to be done?—No.

255. When was it that you handed copies to The Times newspaper?—On Thursday the 28th of October.

256. But you did not at the same time, or at any other time, furnish a manuscript copy of the letter as it was printed?—I sent a brief of all the letters to The Times newspaper; of course, not the original letters; I think it was the 29th, it was Thursday; I am not certain whether it was the 28th or the 29th.

257. You had been candidate to represent some other places before Carlow became the subject of negotiation?—Yes, not in May.

258. Will you be so good as to mention the places where you issued addresses?—Now, Mr. Chairman, I do not know whether I am required to answer any question that is not connected with the Carlow election. My summons is upon the Carlow petition.

Chairman.]—Very true, but I dare say Mr. Serjeant Wilde is not going into any detail upon that point.

Mr. Serjeant *Wilde.*]—Not at all.

Chairman.]—Then answer the question.

259. Mr.

259. Mr. Serjeant *Wilde.*]—Had you been candidate to represent the borough of Esham?—Yes.

260. And Pomfret?—Yes.

261. And the city of Westminster?—No, there was no vacancy.

262. Had you published an address?—Yes.

263. With a view to becoming a candidate?—Yes, certainly, however bold the enterprise.

264. Any other place that you recollect; any borough in Lancashire?—I went down to Preston, but it was too late; and then I was advised to go to South Lancashire or North Lancashire, but I did not go.

265. At what period was it that you became desirous of representing those places?—Esham, as soon as the disabilities were removed; Esham was the first that offered.

266. Will you endeavour to press your recollection as to whether you had had any communication with Mr. O'Connell, verbal or written, upon the subject of Carlow, before the eloquent letter that you stated the other day of the month of May?—Never.

267. You say you have a pretty accurate memory?—I have.

268. Had you had communication with any other persons than Mr. O'Connell upon the subject of representing Carlow?—I never applied to any person.

269. Whether you applied to them or they to you, had you any communication with any person upon the subject of representing Carlow, before your application to Mr. O'Connell?—In the last general election in December 1834.

270. Do the Committee understand you, that you had communications with other persons?—I do not know whether it can be called communications. I recollect a person said, the county of Carlow will be a good thing for you.

271. To whom do you refer as being the person?—Charles Pearson.

272. When was that?—I think that was in the latter end of November.

273. In 1834?—Yes.

274. Had you had any communications with any other persons before then, upon the subject of representing the county of Carlow?—Yes, two or three years ago I think a Mr. Tyrrell called upon me.

275. Does Mr. Tyrrell reside in London?—Yes, that Mr. Tyrrell does; he came to me with his brother, the Rev. Mr. Tyrrell.

276. Do you know whether that Mr. Tyrrell living in London had communicated to any gentleman at Carlow the circumstance of your desiring to represent Carlow?—I do not know.

277. Did you never hear of such a circumstance?—No.

278. Is Mr. Tyrrell a Catholic?—Yes.

279. And you are of the same religious persuasion?—I am.

280. You mentioned that two gentlemen of the name of Tyrrell called upon you together?—Yes, he and his brother.

281. Had you ever any communication with him upon it, before they called upon you?—I cannot recollect, I think Mr. Tyrrell said that Mr. Blakeney was desirous of vacating his seat, and that they wanted some person to succeed him.

282. Which Mr Tyrrell?—This Mr. Tyrrell of London.

283. At what period was that?—That I cannot recollect, it must be two or three years ago, it was at the time Mr. Blakeney was in Parliament.

284. Was that in the same year 1834?—I do not recollect.

285. Did your communication with those gentlemen lead to any introduction to Mr. Vigors?—I think Mr. Tyrrell brought Mr. Vigors to me.

286. Where?—That I do not recollect, I think at my house, I think Mr. Vigors came to me.

287. As your memory is pretty good, can you remember whether it was at the Old Bailey in the first introduction you had to Mr. Vigors?—I think it was before the last election.

288. Where was the place; was it at the Old Bailey?—That I cannot recollect.

289. Did you enter into a communication with Mr. Vigors upon the subject of your becoming a candidate for Carlow?—He spoke to me about it, but I told him that I was engaged for Pomfret.

290. You understand the question to refer to your first communication and introduction

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introduction to Mr. Vigors?—I rather think that it was before the last election that I was introduced to Mr. Vigors.

291. The question to you is, whether upon your first introduction to Mr. Vigors you had communication with him upon the subject of the Carlow election; your answer is that you then told him that you were engaged for Pomfret: with a view of calling to your recollection the dates, I wish you to recollect whether you were engaged for Pomfret till long after you had a communication with Mr. Vigors upon the subject of your representing the county of Carlow; had you not that communication with Mr. Vigors at least as early as the beginning of 1834?—No, I do not recollect.

292. The middle of 1834?—I do not recollect.

293. Had you not a communication with him, in which you discussed the terms of your becoming a candidate?—I do not recollect that.

294. Have you no trace in your memory of such a circumstance?—I have not.

295. Have you sufficient confidence in the accuracy of your memory, to pledge yourself that no such communication took place?—I have no recollection of it.

296. Still you do not answer the question; can you assure the Committee that no such circumstance took place?—No, to the best of my recollection.

297. Can you go beyond that?—No, I cannot.

298. Then you are not certain, though you have no memory upon the subject?—I have no memory upon that subject.

299. Do you think, if you had entered into a negotiation with a gentleman to represent a county, and had discussed the terms with him, that such a circumstance could have escaped your recollection?—It has escaped. I must again repeat, have I a right to answer these questions? My summons is upon the Carlow petition.

Chairman.]—I think this is decidedly within the sphere; the whole questions are upon Carlow.

300. Mr. Serjeant *Wilde.*]—In order to assist your memory, will you attend to the terms of my question; did you not suggest to Mr. Tyrrell of London, your desire to represent Carlow, and did he not, by your desire, or with your knowledge, cause that to be communicated to the committee at Carlow, in 1834?—It may be.

301. Do you not know, that in consequence of that communication on your behalf, you were introduced to Mr. Vigors as representing that committee, and discussed the terms of your becoming a candidate early in 1834?—I say not early in 1834.

302. Before the period to which you have referred, in connexion with Mr. Pearson, had you not discussed the terms with Mr. Vigors of your becoming a candidate to represent Carlow?—Mr. Vigors came to me at the Old Bailey, with Mr. Tyrrell, to ask whether I would go down to Carlow, and he may have mentioned terms, but I said I was engaged for Pomfret, therefore I could not attend to it, and then he requested me to call upon him. I called upon him on Sunday, the 7th of December.

303. Do not wander to other meetings now; will you inform the Committee, to the best of your memory, the date of your first meeting with Mr. Vigors at the Old Bailey?—It was in the November sessions; I do not exactly remember the date.

304. You understand the question to refer not to any meeting in November, but to a meeting of an earlier date?—A meeting of an earlier date I do not recollect.

305. Will you be so good as to state what you recollect of the terms which were mentioned to you by Mr. Vigors, when you saw him at the Old Bailey?—At the Old Bailey?—the terms I do not recollect; I would not enter into any terms, being engaged for Pomfret.

306. Are you clear in your memory, that at the time of your first communications with Mr. Vigors, you were then under any arrangement in regard to Pomfret?—My memory only goes to November, during the November sessions at the Old Bailey; a few days before the sessions Mr. Tyrrell called upon me, and afterwards he called upon me with Mr. Vigors at the sessions.

307. Will

307. Will you answer the question in its terms; the question is not fixing the interviews to any date; had you a negotiation with Mr. Vigors respecting your becoming a candidate to represent Carlow, and were not the terms discussed between you at an earlier period than your being under any engagement in regard to Pomfret?—No.

308. You have mentioned a communication with Mr. Pearson; he was your under-sheriff?—It repents me that he was my under-sheriff.

309. Then it is impressed on your memory?—Yes.

310. Did Mr. Pearson write to Mr. O'Connell upon the matter of the Carlow election?—Not by my desire; I told him not to do it by my authority.

311. Did you see any answer of Mr. O'Connell's to letter of Mr. Pearson, whether written with or without authority?—He read one to me.

312. Did you see a second letter to Mr. O'Connell upon the subject of that election?—I only recollect his reading to me one letter.

313. The question is, did you see a second letter from Mr. O'Connell?—I do not recollect.

314. Is it not in your possession?—No, it never was in my possession.

315. At what time was it that Mr. Pearson showed to you a letter from Mr. O'Connell?—During the November sessions at the Old Bailey.

316. During the month of November 1834?—Yes, the latter end of November or the beginning of December, during the November sessions.

317. Have you not in your possession a letter of Mr. O'Connell, which you procured from Mr. Pearson, to keep as an autograph?—No.

318. Had you ever such a letter?—No.

319. Did you ever see a second letter from Mr. O'Connell?—I do not recollect; I only saw one letter.

320. Did that one letter relate to the terms of your becoming a candidate for the county of Carlow?—The terms I do not recollect, but I recollect Mr. O'Connell said, "The indecision of the sheriff has made us look elsewhere for a candidate;" that is the only part of the letter I recollect.

321. Was that the first letter you saw, or the second?—I only saw one.

322. Did you never receive from Mr. Pearson any letter at all of Mr. O'Connell's?—No.

323. You have repeated an expression in Mr. O'Connell's letter, "that the indecision of the sheriff had occasioned them to look elsewhere?"—To the best of my recollection they were the words.

324. Was that letter or note an answer to one which had been written, announcing that you had become a candidate for the borough of Pomfret?—I said before that I did not authorize Mr. Pearson to write to Mr. O'Connell; when the answer came Mr. Pearson read it, and there was the expression "the indecision of the sheriff has made us look elsewhere."

325. Do not you know that that letter was in consequence of a letter to Mr. O'Connell, stating that you had become candidate for the borough of Pomfret?—I do not know that.

326. Was this communication between Mr. Pearson and Mr. O'Connell previous to your letter in May, which you read?—Yes.

327. If the Committee understand you, Mr. Pearson, in any communication by him with Mr. O'Connell, acted wholly without your authority?—Wholly without my authority.

328. Neither as your attorney nor agent nor friend, nor in any other capacity?—He never was my agent.

329. And his acts were wholly unauthorized as far as you were concerned?—As far as I was concerned.

330. When next had you any communication with Mr. Vigors on the subject of your representing Carlow?—On Sunday the 7th of December he wished me to call upon him at his house.

331. Was that prior to the general election?—I believe the Parliament was dissolved then, I do not exactly recollect; yes, it was, because I went down the next day to Pomfret.

332. That was in the month of December?—Yes.

333. Had you any conversation with him upon the subject of your becoming a candidate then?—Yes.

334. Were any terms discussed between you?—Never; I told him that I was going to Pomfret, that I could not think of Carlow, and I will tell the con-

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versation that passed between me and Mr. Vigors. I told Mr. Vigors that I was going the next morning to Pomfret, with my confidential solicitor, Mr. Sudlow; I said I could not go to Carlow myself; and then he said, cannot you send some confidential friend of yours there? and I said I have no other confidential solicitor but Mr. Hamilton of Turnham Green; that I would immediately go to him. I immediately went to Mr. Hamilton and found that he was gone to Wells with a candidate, and I wrote to Mr. Vigors that Mr. Hamilton would call upon him on his return from Wells; the letter was written by the house of Few & Company, and Mr. Robert Few called; what passed between them I do not know.

335. When next, after the month of December 1834, had you communication with Mr. Vigors?—Never after the 7th of December. I never saw Mr. Vigors till I met him at the Zoological on the 27th.

336. Did you hear of a petition being presented against the return of those two gentlemen?—Yes.

337. Had you any communication with Mr. Vigors or Mr. Baker, the Parliamentary agent, at the time that petition was presented?—Never.

338. Had you no communication while that petition was pending, with Mr. Vigors or Mr. Baker, upon the subject of your becoming a candidate in the event of the Members being unseated?—Never; I never saw Mr. Baker till after the petition against our return.

339. Or Mr. Fitzgerald?—Never.

340. Or Mr. Marr?—Never.

341. You know Mr. Marr?—The Rev. Mr. Marr.

342. Had you communication with any of those gentlemen while the petition was pending?—Not with any.

343. Then you have never been invited to take up that petition and prosecute it, with a view of becoming the candidate in the event of their being unseated?—Never.

344. Had you any communication upon the subject at all?—With no one.

345. Neither by yourself nor your solicitor?—Not by my solicitor.

346. Mr. Hamilton?—No.

347. Or through the intervention of any friend?—No.

348. Have you, directly or indirectly, entered into any discussion respecting the terms of your becoming a candidate for Carlow in the event of that petition being successful?—Never; I had no communication with any body.

349. Is the Committee to understand that the only communication you had with Mr. Vigors, directly or indirectly, respecting your representing Carlow, after December 1834, was in the month of May, at the time you learned that the Members were unseated?—Yes.

350. Were you aware at all, prior to that month of May, of any committee of gentlemen at Carlow managing the political concerns of the county, as far as their own views were concerned?—No.

351. Called a Liberal Club?—No.

352. You never heard of such a body?—I never heard.

353. Had you heard of any alleged persecutions of persons who had voted contrary to the wishes of their landlords?—Never.

354. You never heard information upon such a subject?—Never.

355. Had you heard of any fund which had been created for the purpose of relieving persons who had suffered under any persecution?—Never.

356. Had you heard any complaints at all, prior to your becoming a candidate, upon the subject of any persecutions in the county of Carlow?—Never; I know so little of Ireland, and less of Carlow.

357. Had you ever held out any expectations of your intending to become a landed proprietor in Carlow?—After my return.

358. Never before your return?—No; I said if I am returned a Member for Ireland, I shall certainly purchase property in any place that will do me the honour to return me.

359. How early did you make any representation upon that subject?—It must have been to Mr. Vigors during the November meetings.

360. In November 1834?—Yes.

361. Was that at the time that you were engaged for Pomfret?—Yes, I was engaged to go to Pomfret.

362. Had

362. Had you any applications afterwards upon the subject of your becoming a purchaser of property in Carlow?—Yes, since my return.

363. Before your return?—Yes, during the election.

364. Did you refer any of those persons to any one?—No.

365. Not to Mr. O'Connell, for instance?—I told Mr. O'Connell that when I was returned I should purchase an estate, and he said, "Leave all that to me, I will purchase you a good estate; they do not like me to be concerned for purchasers, for I look very minutely into the deeds, and therefore I will purchase the estate for you."

366. Did you refer any persons to Mr. O'Connell to purchase for you?—No, I did not.

367. You are quite clear that you never referred any persons to Mr. O'Connell upon the subject of purchasing land for you?—No.

The *Chairman* directed the Witness to give first a direct answer to the question, and give his explanation afterwards.

368. Mr. Serjeant *Wilde*.]—Previous to your becoming candidate for Carlow, had you been requested to subscribe any sum of money to any fund for the relief of voters who might be persecuted or alleged to be persecuted?—No.

369. Then you had never heard any thing about the persecution or oppression of the people of Carlow?—No; of course I knew generally that the poor catholics were oppressed in Ireland.

370. Do you mean oppressed for voting?—No, I do not mean exactly oppressed for voting.

371. Is that your writing?—[*A letter being shown to the Witness.*]—Yes.

372. Will you be so good as to read it to the Committee? to whom is it addressed?—The address is not here.

373. What is the date?—July the 4th 1835: "Sir,—In answer to your favour of the 29th ultimo, I beg to refer you to my friend Mr. O'Connell, who has promised to purchase for me an eligible property in the vicinity of Carlow; I must thank you however for the kind offer of your father's property in the vicinity of Carlow."

374. To whom was it addressed?—I do not recollect, but it may be Mr. Pennyfather; two or three gentlemen had written to me, and I had sent answers; this may have been to Mr. Pennyfather, or some one else who wrote to me.

375. Will you be so good as to see whether that is your writing?—[*A letter being shown to the Witness.*]—Yes.

376. Will you read it?—"Great Stanhope-street, 15th of June 1835. Dear and Reverend Sir,—I received your favour of the 10th June on Saturday last, too late to forward the answer by this evening's post. I thank you most kindly for the sentiments contained therein; but I regret to say that my official duties, as one of the sheriffs of London, and *the sheriff* of Middlesex, will not permit me to absent myself, and more particularly at this present time, our June sessions having commenced this very day. It is my firm intention, however, with God's blessing, to pay you a visit in the course of this month, in the event of my being returned, to thank you *vivâ voce* for all your kind exertions in my favour. The poor of Carlow county shall find in me their warm friend and their protector against their oppressors."

377. Were the oppressed there referred to the voters of Carlow?—I meant generally.

378. That is addressed to Mr. Maher?—Yes.

379. Had you seen Mr. Maher before writing this letter?—Never.

380. Had you seen Mr. Fitzgerald, the gentleman who has been mentioned to you, at any time before the writing of that letter?—No.

381. Then you had no communication with either of those gentlemen?—With neither of them.

382. Your arrangement with Mr. O'Connell was to pay two sums of 1,000*l.* each?—Yes.

383. Had you had any conversation with any person as to the second 1,000*l.* being applied to the purposes of any fund?—No.

384. Never?—Never.

385. Had you had any conversation with any one upon the subject of the costs

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costs of the petition by which the vacancy had been occasioned?—With my solicitor.

386. With any of the gentlemen whose names have been mentioned, Vigors, O'Connell, Fitzgerald, Maher or Baker?—No.

387. Had you ever heard any thing of the Liberal Club being desirous, in the event of the voters being distrained upon and being unable to sell their crops, to make them an advance?—No.

388. You never heard of that?—No.

389. Or of the probability of those advances being to a considerable extent repaid to you?—Never.

390. You never saw any letter of Mr. O'Connell's, containing a statement to that effect?—No.

391. Or at all relating to such a subject?—No.

392. Had any other person ever been suggested as being a candidate with you for Carlow besides Mr. Vigors?—No.

393. Had you ever heard any suggestion of Mr. Ponsonby being a candidate with you?—Yes.

394. When did you hear of that?—That I do not recollect.

395. How did you hear of it, or learn it?—It must be I think from Mr. Tyrrell, that is the only person that I know who was connected with Carlow.

396. Can you tell the Committee when you heard that?—I cannot, indeed.

397. Have you seen any statement of Mr. O'Connell's upon that subject?—No.

398. Or heard it read to you, or a copy of it?—No.

399. No written communication in any form from Mr. O'Connell upon the subject?—No.

400. You have mentioned a communication with Mr. O'Connell upon the 2d of August, which was pending the petition upon your return?—Yes, Sunday the 2d of August.

401. You said that Mr. O'Connell then complained of the constitution of the committee, and said he should wait?—He began by saying that it was the greatest political shock that he ever received; I do not exactly recollect the adjective he made use of in describing the committee, but the committee was against us; "but, however," he said, "I shall not make up my mind till the second vote is disposed of."

402. Were you aware at that time that the committee had been requested by the petitioners to open the register and investigate the validity of the votes put upon the register?—No; Mr. O'Connell mentioned to me something about Mr. Alexander's votes, but I paid no attention to it; I did not understand those things.

403. Will you address your attention to the matter now stated, whether or not you heard on that Sunday that the committee had been requested to open the register of the votes?—Yes, Mr. O'Connell told me so.

404. Was it that circumstance, as you understood at the time, that occasioned the state of depression in those gentlemen's expectations, namely, Mr. Vigors and Mr. O'Connell, was it in consequence of the committee having determined to open the register?—That I cannot learn.

405. What did you learn from that?—I learned nothing from that; I told Mr. Vigors, Mr. O'Connell seems to be disheartened, instead of his being able to cheer me, I am obliged to cheer him; and I endeavoured even to cheer Mr. O'Connell, for he seemed to be very low spirited.

406. And you appointed a meeting for the 5th?—For the 4th.

407. And upon the 4th, did you learn that the register had been opened and two votes had been struck off?—Only one vote had been struck off that morning, which I heard from Mr. O'Dwyer.

408. Had you then heard that the register had been opened?—I am sure I do not know, I paid no attention to that.

409. Pay attention to it now, and state whether you had heard or had not, that the committee had resolved to open the register?—I do not remember.

410. Sir *E. Wilmot.*]—Did you understand that the first vote being struck off was in consequence of the opening of the register?—No.

411. Mr. Serjeant *Wilde.*]—That the committee have determined to investigate the validity of the votes which had been registered by the barrister?—Yes, I understand

I understand that, but I do not know whether my vote rejected was in consequence of that or not.

412. Did you understand that it had been registered as a good vote?—Oh, yes.

413. And it was struck off?—Yes.

414. At that meeting on the 4th of August, were you told by either Mr. O'Connell or Mr. Vigors that in their opinion and the opinion of the counsel it would be useless further to resist the petition?—No, they never told me that; on the contrary, Mr. Vigors said, that "It will come to about 90*l.* a day, and Parliament will not sit long;" and then Mr. O'Connell said, "That is the maximum, it will not come to 90*l.*, perhaps it may be less; you need not pay consultation fees, or some expenses may be reduced; it will not be 90*l.* a day."

415. You say on the contrary; did you learn that it was their opinion and the opinion of the counsel that ultimately the petition must be successful?—No, I did not hear that.

416. Did not they decline further to resist the petition upon that ground?—No; they did not, indeed: I did not so understand it; on the contrary.

417. What do you mean by the contrary?—To go on in defending the petition.

418. On the 4th?—Yes.

419. You understood that they meant to go on to resist the petition?—Yes; it was to be at my expense of course then.

420. Did you understand that they would not go on to resist the petition at their expense?—Mr. Vigors said very plainly, "I have not paid at all, and I will not pay a crown piece."

421. That was on the 4th?—Yes; there I knew for the first time, that he had not paid any thing for the election.

422. Did you not on the 4th understand from them, or from one of them, that, in their judgment, the further resistance was useless; and that if you chose to resist it further it must be at your expense?—I knew it must be at my expense.

423. Did you understand that they would not prosecute it further, because it would be useless; and therefore, if you chose to prosecute it, it must be at your expense?—No; Mr. O'Connell said, "We will wait for the second vote;" the second vote was not struck off then.

424. When was that vote struck off?—I do not know; when we were at the Westminster Club we had not heard of the second vote being struck off; and Mr. O'Connell said to Mr. Vigors, "I think Raphael is right; we ought to wait till the second vote is struck off."

425. Was it upon that 4th of August that you determined to prosecute the resistance to the petition at your own expense?—Yes, at least for a day or two.

Sir *Ronald Ferguson.*]—You said just now Raphael is in the right; there must have been some discussion about it before that observation was made.

426. Mr. Serjeant *Wilde.*]—You said that Mr. O'Connell said Raphael is in the right; will you state the conversation that preceded that what led to that observation, "Mr. Raphael is right; we ought to wait I think till the second vote is struck off?"—I do not know; Mr. Vigors, I suppose, must have shown an inclination to give up, and then Mr. O'Connell must have answered, that I cannot tell.

427. But you say from that day, the 4th of August, you determined to resist the petition at your own expense?—For a day or two, I had not made up my mind to resist it to the end.

428. Will you tell the Committee, whether the arrangement that you come to was to this effect, that the petition should be resisted as far as the second 1,000*l.* would pay the expenses, and that if you thought fit to go on beyond that it was to be at your own expense?—Yes, of course.

429. That you were to pay the expense of that petition, having the 1,000*l.* as the credit against it?—Yes.

430. Was it not stated to you on that 4th of August, that for any useful purpose it was idle further to resist that petition?—No.

431. Did you not state, that you deemed it of great importance for you to continue a Member till the end of the Session, and wished the opposition to be protracted to obtain that object?—Yes; and Mr. Vigors wished it also.

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432. You say that Mr. Vigors wished it also; was it not in answer to a remark of yours that Mr. Vigors said, "As the petition cannot be successfully resisted I will not pay *5 s.*?"—Yes, of his own money; but he advised me to go on with it, he said it would cost me only 90 *l.* a day; he wished me to maintain my seat that he might retain his.

433. But at the same time, he told you that he would not give *5 s.* to remain in Parliament?—Yes.

434. And you determined to go on with it?—Yes, till I wrote that letter to Mr. O'Connell.

435. How long did you go on?—I went on longer, till the 19th of August.

436. In the course of that resistance of yours, 70 votes were struck off by one resolution of the committee?—Oh yes, as I heard; I was not in the room.

437. From that 4th of August, you and your agents took the management and conduct of the opposition?—I will not say my agent, for Mr. Baker was never my agent; he was appointed for me; I told him the first day I saw him, "You are not my agent, Mr. Baker, Mr. O'Connell is my agent."

438. Was Mr. Baker continued after the 4th of August?—Yes.

439. But not as your agent?—Not as my agent; but in justice to him I will say, that he offered to give up the papers into the hands of Mr. Hamilton, and Mr. Hamilton said, I cannot take them now, I am not prepared with the case.

440. Did Mr. O'Connell or Mr. Vigors further interfere in their resistance to the petition?—Mr. Vigors appeared every day, but we could not get Mr. O'Connell to come and assist us; they were pressing me to go to Mr. O'Connell; they said, he must give us his assistance, and I went once in a supplicating manner to ask him to give us his aid and assistance, and he said, "No, I cannot do any thing more."

441. You retained no counsel?—We were obliged to get any counsel; we had no counsel.

442. You did not retain those that had appeared before Mr. Harrison and Mr. Hill?—Mr. Harrison had declined, and as Mr. Hill did not give his attendance as he ought, Mr. Baker and Mr. Hamilton thought we ought to have somebody else, for Mr. Howley complained that he was alone, and could not do us justice.

443. On what day was it the new counsel was brought in?—I believe Mr. Pollock was brought in two days before we gave in.

444. Had you brought in any other counsel or gentleman with Mr. Howley?—Mr. Harrison and Mr. Hill were originally retained, afterwards Mr. Howley was retained, and then Mr. Hamilton and Mr. Baker advised having another counsel, and we could not get any; it was at the time of the assizes, and we hunted and got Mr. Pollock.

445. But from the 4th of August to the time that you continued the opposition, Mr. Harrison and Mr. Hill did not appear?—They appeared a few days after the 4th of August, but I took no part.

446. Was it not wholly conducted on your behalf from that time?—I left it all with Mr. Baker and Mr. Hamilton; Mr. Hamilton only appeared as a friend to protect me.

447. Who acted as the professional agent besides Mr. Baker?—Nobody else; Mr. Hamilton did not appear as my solicitor or agent, but as my friend, to protect my property.

448. You state that you did not know that Mr. O'Connell was acting on behalf of Mr. Vigors, you never heard of that?—Never.

449. Will you state what you understood by the letter of Mr. O'Connell's which contained this expression, "I have a note from Mr. Vigors, to whom I am pledged, pressing me upon the subject," that is, in relation to the second 1,000 *l.*; "let me know at once who is to give it me; I have a note from Mr. Vigors, to whom I am pledged, pressing me upon that subject?"—I assure you that I paid no attention to that; I had nothing to do with it; I sent the paper back, as Mr. O'Connell wished it to be sent, but I paid no attention to it.

450. But you have stated to the Committee that you never heard or knew that Mr. O'Connell was acting on behalf of Mr. Vigors. In your printed letter you set forth this letter from Mr. O'Connell which you have produced here: "My dear Sir,—You did not say to whom I was to apply for the second sum of 1,000 *l.* according to our arrangement; it is necessary, absolutely necessary, it should be paid this day; let me know at once who is to give it to me. I have a note

a note from Vigors, to whom I am pledged, pressing me on this subject; I, of course, am bound to him for the money." What did you understand by that when you tell the Committee that you never heard that Mr. O'Connell was acting for Mr. Vigors?—I must again say that I never understood Mr. O'Connell acted for Mr. Vigors.

451. What did you understand by that passage which has been read?—I understood nothing at all; I had nothing to do with it.

452. Do you mean to tell the Committee, that you drew no inference from that statement, that Mr. O'Connell was accountable to Mr. Vigors for the money?—I did not.

453. Did you read the letter?—I do not think that I read it with any attention; I did not want to have any thing to do with Mr. Vigors.

454. Will you reconcile to the Committee, in the best way that you can, your answer that you never knew Mr. O'Connell acted on behalf of Mr. Vigors, with the paragraph in that letter, received and read by you before you paid the second thousand pounds?—I have nothing more to say; I will answer every question that is put to me, but as I said before, I did not pay any attention to that letter of Mr. Vigors; I sent it back immediately by my friend, and I thought nothing of it.

455. What did you send back?—That letter.

456. By what friend?—A friend of mine.

457. Who was that?—A Mr. Morris.

458. For what purpose did you send it back again?—To comply with Mr. O'Connell's request.

459. You have not attended to the letter; you are confounding it with another letter; this is not a letter that Mr. O'Connell begs to have back again; this is a letter of July the 5th; do you adhere to your answer that you sent this letter back again by Mr. Morris?—Yes, I sent the letter back.

460. Will you refer to the letter?—[*The Witness referred to the letter.*]

461. Mr. Serjeant *Wilde.*]—Will you bear in mind, that you have spoken of another letter sent to you, which was a letter from Mr. Vigors to Mr. O'Connell, and not from Mr. O'Connell to you; and in that second letter to which you have referred from Mr. Vigors to Mr. O'Connell, Mr. O'Connell inclosed that letter and another for you, desiring that it should be returned as containing a voucher for 800*l.*; this is not that letter?—I see that it is not.

462. Do you mean to state that you returned the letter to which your attention is now called?—If there was a letter, I returned it; I did not see that there was any letter.

[*The Letter was produced.*]

463. That letter was in your possession when you attended the Committee yesterday?—Yes.

464. Is the Committee to understand from you, that you have ever returned that letter to Mr. O'Connell?—No, to be sure not; this I had in my possession yesterday.

465. When you were asked what impression a paragraph in that letter had made in your mind, you stated that you paid very little attention to it, and you returned it to Mr. O'Connell?—I mistook that for the other letter.

466. Now the question is repeated to you, and you understand that that question refers not to the letter returned, but to a letter retained in your possession, can you reconcile your statement to the Committee, that you never knew that Mr. O'Connell acted for Mr. Vigors, with your having received and sent a letter in which Mr. O'Connell stated that he was bound to Mr. Vigors for the money?—I do not know what answer to give.

467. Sir *Eardley Wilmot.*]—What did you understand by the words, being pledged to Mr. Vigors?—I paid no attention at all to it; I paid no attention to any money matters between Mr. Vigors and Mr. O'Connell; I would answer any question if I understood it.

468. Sir *C. B. Vere.*]—Did you consider that the second thousand pounds was to be paid or was to be made use of towards the election by Mr. Vigors?—No.

469. Mr. Serjeant *Wilde.*]—What did you understand was to be the appro-

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priation of that money?—That he may have owed Mr. Vigors money, or that Mr. Vigors may have paid some expenses on his account, that he was bound to repay.

470. You understood that Mr. O'Connell was to pay a debt of his to Mr. Vigors out of your 1000*l.*?—Perhaps he paid the money to Mr. Vigors to pay the election bills, or Mr. Vigors may have paid the election bills, which Mr. O'Connell was bound to pay.

471. Mr. *Warburton.*]—Is that the interpretation you now put upon the phrase in the letter, or is it the interpretation which you put at the time of receiving the letter?—At the time of receiving the letter.

472. Then you did reflect upon that phrase in the letter; you stated before that you had paid no attention whatever to it?—I paid very little attention to it.

473. Mr. Serjeant *Wilde.*]—An honourable Member has asked you, whether you understood that second 1,000*l.* was to be applied to the purposes of election expenses; you stated, "No;" you have since said that you thought it might mean that Mr. Vigors had paid the election expenses, and that Mr. O'Connell was to repay him, do you adhere to that latter answer?—My understanding at that time was the same as it is now; I paid no attention at all to any thing to which Mr. Vigors' name was put; I had nothing whatever to do with Mr. Vigors.

474–5. Was your answer correct, and according to your present meaning, that you thought this might be a repayment to Mr. Vigors of election expenses which he had paid?—Yes, nothing was more natural than that.

476. Did you understand that the 1,000*l.* was to be applied to such a purpose?—The 1,000*l.* was to be applied for the nomination, and the second 1,000*l.* was to be applied for returning me; that is all that I know.

477. Explain what you mean by "applied for returning you;" do you mean in the payment of election expenses?—Of course.

478. Did you entertain the same belief in regard to the first 1,000*l.* that it was to be applied to the election expenses?—Certainly.

479. You are then to be understood by the Committee, that as far as your belief went, no part of that money was to be retained by Mr. O'Connell, but the whole to be applied to the payment of election expenses?—The whole to be applied.

480. Mr. *Barneby.*]—Was there any thing said, that if the amount of the expenses did not come to 1,000*l.*, any part of that was to be returned to you?—It was not to be returned.

481. Sir *Eardley Wilmot.*]—Was any thing said?—No.

482. Mr. *Ward.*]—You have said, that perhaps Mr. O'Connell owed money to Mr. Vigors, do you mean to say that you supposed at that time, or suppose at this time, that there were any pecuniary transactions between Mr. O'Connell and Mr. Vigors, unconnected with the election, which were to be paid out of the 1,000*l.*?—I do not mean private transactions, but as to this election.

483. You do not mean, by the answer to the question, to imply that there were any private transactions between Mr. O'Connell and Mr. Vigors, which were to be paid out of your money?—No.

484. Lord *Francis Egerton.*]—Were you at that time under the impression that Mr. Vigors was to support the expense of the election in a like manner with yourself?—I really thought so.

485. Did you suppose, from that mention of Mr. Vigors, that it might possibly mean that Mr. Vigors was at that moment paying his way, and therefore having made certain payments, was in a situation of calling upon any person who had influence with you, or upon yourself, to come forward at that time with certain sums in order that you might stand upon the same footing as to payments with him?—Yes.

486. Mr. Serjeant *Wilde.*]—Will you state what you understand by the Noble Lord's question just put to you?—I understood his Lordship to say that of course Mr. Vigors must have held expenses incurred at the election, and therefore this money may have been expenses incurred by Mr. Vigors, and paid to him.

487. Mr. *Bannerman.*]—Did you imagine that the election would cost 4,000 *l.*?—Yes; sometimes elections have cost a great deal more; I did not know any thing of elections in Ireland.

488. Mr. *Ord.*]—But you must have concluded that it would cost the 4,000 *l.*, if Mr. Vigors was to pay half the expenses?—Yes.

489. Mr. Serjeant *Wilde.*]—Did any one ever state to you that Mr. Vigors was to pay an equal sum with yourself?—No.

490. You knew there had been a petition against the sitting Members, Mr. Cavanagh and Mr. Bruen?—Certainly.

491. Did you know who had paid the expenses of that petition?—No.

492. Were you at all aware that Mr. Vigors had prosecuted that petition?—Never.

493. You never learnt it from Mr. Baker, or any body else?—No; I think I heard Mr. Vigors say that it cost him a good deal of money, and he said, when you are returned I think you ought to pay me back some.

494. When was that?—Two or three days before he went to Ireland; he said it in a joke; he said, "I have spent a great deal of money, and when you are returned I think you ought to pay me part of it back."

495. And was that before the election at which you were returned?—Yes.

496. Where was it that that conversation took place?—At my own house.

497. On what day of the week was it you saw him at the Zoological?—On Wednesday.

498. On what day was that conversation?—I think it was either Friday, Saturday or Sunday, but I rather think it was Sunday.

499. When he stated that it had cost him a great deal of money, was that the petition?—For the borough of Carlow that he had spent a good deal of money to get into Parliament; I do not know whether it was the petition or not; he said, "I have spent a good deal of money, and I am not so rich a man as you."

500. Did you at that time converse as to the expenses of the election?—No.

501. You have detailed to the Committee the course of this transaction, will you attend to the questions that may be put to you and see whether those questions state correctly the actual course of the transaction. Did not your connexion with Carlow commence by a communication with the Carlow committee?—No.

502. Was not your first communication with Mr. Vigors upon the subject of your becoming a candidate at Carlow in consequence of a communication from that committee?—I do not recollect.

503. Was there not a new negotiation opened between you and Mr. Vigors, wholly independent of Mr. O'Connell, just on the eve of the election at the latter end of 1834?—I do not recollect.

504. Did you not at the time when you learned that the committee had declared the election of Cavanagh and Bruen void, state to Mr. Vigors at that time that you wished to consult a friend before you gave an answer as to becoming a candidate?—No; do you refer to the Zoological Society?

505. Did not Mr. Vigors ask of you who that friend was that you wished to consult?—No.

506. Did not Mr. Vigors say to you, in consequence of your making such an answer that he must leave England shortly for Ireland; no time must be lost, and he would wish to know who the friend was that you wished to consult that no time might be lost?—He said that he must leave England to go to Ireland.

507. Did he add that he must know the friend that you wished to consult?—No.

508. Did you, in answer to such a remark, say "Mr. O'Connell is the friend whom I wish to consult?"—No.

509. Did not Mr. Vigors, in consequence of such a remark as has been put in the last question, say, "If Mr. O'Connell is the friend, I will leave it to Mr. O'Connell to make the arrangement between us?"—No.

510. Did you not very soon after your conversation at the Zoological with Mr. Vigors, apply either to Mr. O'Connell or at his house to see him?—No; excepting what I detailed yesterday.

511. Yesterday you said that the application to you upon the subject of your becoming a candidate for Carlow was by Mr. O'Connell in the first instance, after you had seen Mr. Vigors, and not in consequence of your applying to see him?—

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him?—I mentioned that I first wrote to Mr. O'Connell on the 23d of May; on Wednesday the 27th I met Mr. Vigors, and on Thursday the 28th Mr. O'Connell called upon me; Friday and Saturday Mr. Vigors called upon me; but I am positive that he called upon me on Sunday to say that he was going to leave town, and that he must see Mr. O'Connell.

512. On what day did you hear that the election was voided?—On Wednesday the 27th, at the Zoological meeting.

513. And on the 23d you wrote to Mr. O'Connell?—Yes.

514. And that preceded the meeting him at dinner?—Yes, the day before.

515. And then Mr. O'Connell took no notice of the letter you had written to him?—He did not.

516. After your conversation with Mr. Vigors at the Zoological, did you apply at Mr. O'Connell's house for the purpose of seeing him?—I said yesterday Mr. O'Connell called upon me.

517. That is no answer to the question, the question is whether before Mr. O'Connell called upon you, you had called at his house?—No.

518. Had you written to him or sent to him after your conversation with Mr. Vigors?—No.

519. You had made no attempts to see Mr. O'Connell after your conversation with Mr. Vigors, prior to his calling upon you on the 28th?—No, I expected a letter from him.

520. Had you told Mr. Vigors that you would see Mr. O'Connell?—I said "I must see Mr. O'Connell."

521. Do you mean that you said that at the meeting of the Zoological?—I do not know, but whenever he mentioned Carlow, I said "I must see Mr. O'Connell."

522. My question is confined at present to what took place at the Zoological, and between that and the 28th?—I will state what happened at the Zoological; Mr. Vigors said, "Accounts have just come from the House of Commons half an hour ago; Messrs. Bruen and Cavanagh are unseated, the county of Carlow is now open for you; Mr. O'Connell has some friend in view;" I said, "Perhaps that friend is myself;" nothing more than that passed.

523. Did you or not tell Mr. Vigors that you would see Mr. O'Connell?—Yes, not on that day, but I may have said so to him on Friday or Saturday when he came.

524. At that meeting did you say so?—I will not be positive.

525. Upon the Sunday when you did see Mr. O'Connell and made the arrangements; yesterday you said that you had not told Mr. Vigors that you were going to see Mr. O'Connell, though you met him in the course of your going?—No, Mr. Vigors called upon me on the Sunday, to say that he wanted to see Mr. O'Connell; I knew that he would be at home at two o'clock because I had an appointment with him, but I would not tell Mr. Vigors, and on my way back from Mr. O'Connell's, in Hanover-square, I saw Mr. Vigors, but I did not wish to see him lest he should put questions to me.

526. You stated that you said to a lady that you did not wish to speak to Mr. Vigors, did you not stop the carriage and speak to Mr. Vigors and say, "that you had completed the arrangement with Mr. O'Connell?"—No, so help me God.

527. I will call your memory back, I was carrying you through a supposed detail of transactions, and asking you whether at the meeting at the Zoological, you had not spoken of Mr. O'Connell as the friend whom you wished to consult, and if Mr. Vigors had not stated then to you that he would leave the arrangement with him, and I understand you to say that no arrangement was discussed at all with Mr. Vigors?—No.

528. I ask you further, if before that, pending the petition against Messrs. Cavanagh and Bruen, you had not had a negotiation with Mr. Vigors in which you discussed the pecuniary terms of your becoming a candidate?—No.

529. I also ask you if you had not distinctly discussed pecuniary terms with Mr. Vigors on the former occasion, when you were required to pay 600*l.* for election expenses, and 1,000*l.* to the funds to be administered by the Carlow Liberal Club, in relief of persons who might be distrained upon in consequence of their votes?—No.

530. Never

530. Never at any time?—Never, I never heard of the Carlow Liberal Club.
531. Or the Liberal Club at Carlow?—No.
532. Or any club?—Or any club in Ireland.
533. Had you any communication at any time with Mr. Baker, prior to the petition against yourself?—I never saw Mr. Baker.
534. Then you had not?—No.
535. Had your solicitor to your knowledge or on your behalf?—Not on my behalf.
536. Did you make any inquiry of what was to become of the second 1,000 *l.*, if the election expenses did not amount to that sum?—No.
537. You never made any inquiry about it?—Never, if there was any surplus, I did not mind whether Mr, O'Connell kept it for his time and trouble.
538. You did not express any such opinion?—No, I did not.
539. But in truth the disposition of any part of that 1,000 *l.* was never specifically the subject of conversation?—Never; neither the first 1,000 *l.* nor the second 1,000 *l.*
540. You say that the arrangement on the 4th of August was, that you were to take upon yourself the cost of the election petition, and to have credit for the 1,000 *l.*?—The 1,000 *l.* was not mentioned, it was of course understood.
541. That was your understanding of the arrangement?—Of course.
542. You had credit for that 1,000 *l.*?—Not at the time, it was a long time before Mr. Baker would give us credit for that.
543. Did he do so?—Yes, at least he promised to do it; we have applied for his bill and he will not send his bill in.
544. Did I understand you then, that the 1,280 *l.* which you mentioned yesterday, were the costs of petition after the expenditure of 1,000 *l.*?—Yes; I made a trifling mistake, it is 1,300 *l.* that I paid.
545. Is that after giving credit for the 1,000 *l.*?—Yes.
546. In the printed paper that you have referred to it is stated, that many applications were made to Mr. O'Connell for the second 1,000 *l.*; did you ever make any?—No.
547. Who did, to your knowledge?—I do not know.
548. Upon what authority is it that you state, that many applications were made to Mr. O'Connell for the payment of the second 1,000 *l.*?—The authority of my solicitor, and I likewise was present when we wanted the money, and we could not get it.
549. What period do you allude to in your last answer?—From the 4th of August to the 19th of August.
550. Did you ever apply to Mr. O'Connell?—No.
551. Did you understand from your solicitor that he had applied?—He would not apply.
552. Upon what authority did you make the statement then, that many applications had been made to Mr. O'Connell for the payment of that second 1,000 *l.*?—Mr. Baker wanted 500 *l.*, and we paid him that, and soon afterwards he said, "I must have more money," and I paid a second 500 *l.*, and I said after that, I am determined not to give another farthing until he will give me credit for the 1,000 *l.*
553. Have you any other answer to give to the question which is, whoever stated to you that many applications had been made to Mr. O'Connell for the payment of the second 1,000 *l.*?—Mr. Hamilton.
554. And yet Mr. Hamilton told you, that he would not make application?—He would not.
555. Did he ever name any person who had made application?—No, I do not recollect the name of the person.
556. Do you mean to state, that Mr. Hamilton represented to you that any applications had been made for payment of the second 1,000 *l.*?—Yes; not to Mr. O'Connell, but to Mr. Baker to give credit for the money.
557. Do you know of any application having been made to Mr. O'Connell?—Yes, I think I do, I think Mr. Tyrrell and Mr. Maker.
558. When did you learn that?—During the time from the 4th of August to the 19th of August.
559. Who stated it to you?—I heard it in the conversation.
560. Who?—We were with Mr. Tyrrell, and Mr. Maker and Mr. Baker, we were together.

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561. Will you name the individual who made such a statement?—No, I cannot.

562. Will you name an individual who was present when such a statement was made?—No, I cannot.

563. You have stated that you made no inquiry as to what was to become of any surplus of the 1,000 *l.* not required for the purpose of election expenses. From first to last of your communication with Mr. O'Connell was there ever any statement or understanding that he was to retain 1 *s.* of the money?—No, certainly not.

564. Was it not your understanding throughout, that as far as Mr. O'Connell was concerned, the whole of that sum was to be paid over by him to some person or persons on account of election expenses?—I do not know; I was to pay 1,000 *l.* on nomination and 1,000 *l.* on being returned.

565. The question to you is, whether it was not your understanding from first to last, that as far as Mr. O'Connell was concerned he was to pay over to some person or persons for election expenses the whole of the 2,000 *l.*, and not to retain any thing himself?—He was not to retain any thing, he was to pay the expenses; if there was any surplus of course that was his business and not mine.

566. Did you ever hear from Mr. Connell or Mr. Vigors, during any of your communications, any intention of an illegal application of a single shilling of that money?—No.

567. Did you communicate at any time with any gentlemen from Carlow upon the subject of your being a candidate for that place?—After my election?

568. Before your election more particularly than after?—No.

569. Did you ever cause any commnnication to be made to Mr. Connell upon the subject of your political opinions, in order to induce him to recommend you?—No.

570. Never?—Never.

571. Did you ever cause it to be represented to Mr. O'Connell, that your opinions were as liberal as his upon all subjects but one, and that was the Repeal, but for that you would not vote?—No; I gave Mr. O'Connell my lithograph address to the electors of Westminster before it went to be lithographed.

572. A letter has been read in which Mr. O'Connell speaks of arranging your address; did you before he wrote that letter to you send him the Westminster address?—I gave him my Westminster address, or sent it him.

573. Were the opinions which you had expressed in that Westminster address very liberal opinions?—Yes, I hope so.

574. Not Radical, I hope?—No, not destructive; I am only a Radical in the true sense of the word, not in the meaning attached to it.

575. You have been asked with reference to your statement that you did not know that Mr. O'Connell was acting for Mr. Vigors in respect to the letter; your attention is now called to another letter, dated Wednesday the 17th of June; you will find a short paragraph, stating, "On the 17th, Mr. O'Connell wrote me the following;" and that following is there given: "My dear Sir, I send you Vigor's letter to me just received. You see how secure we are; return me this letter, as it vouches 800 *l.* for me." What was your construction of that passage as to Mr. O'Connell's being accountable to Mr. Vigors for the money?—I returned the letter, as I said before; I do not recollect what it was; I did not think any thing of it.

576. Your indifference to money matters induced you to pay no attention to it?—Yes, I said so in the commencement, and I will say so a hundred times if it is asked me.

577. Are the Committee to understand you, that now that you pay attention to this letter, you did or did not know that Mr. O'Connell was acting on behalf of Mr. Vigors, and so accountable to him for the money?—I did not.

578. What is your impression on reading this letter, do you think that this letter imports that he was acting on behalf of Mr. Vigors?—That I cannot tell; it is beyond my comprehension.

579. You perused these letters attentively before you published your statement?—I hope so.

580. However little you might have attended to these letters when you received them, how do you reconcile your statement when you perused them for publication; did you prepare them for publication?—Of course.

581. Was this letter composed by yourself?—You may call it a joint composition.

582. Did

582. Did you contribute to it the copies of the letters that passed?—Of course, without those letters the statement could not have been made out.

583. With the exception of those letters, is this statement your composition or not?—Part of it; I hope I am able to write such a statement; it is a plain straight-forward statement.

584. Do you mean to state to the Committee that this letter is your composition?—Part of it.

585. Have you any objection to state who was the joint contributor?—Am I obliged to answer that?

Chairman.]—No, I think not.

586. Mr. Serjeant *Wilde.*]—Have you any objection to state who was the joint contributor?—I have an objection.

Mr. Serjeant *Wilde* suggested that the question ought to be pressed.
Sir *Frederick Pollock* stated that he made no objection to the question.

587. Mr. Serjeant *Wilde.*]—I wish to know who assisted you in the composition of that letter which you published?—Am I bound to answer?

588. *Chairman.*]—Do you object to answer?—I do not see that I ought to object to it, Mr. Hamilton.

589. Mr. Serjeant *Wilde.*]—No one else?—No one else.

590. Have you ever parted with the possession of Mr. O'Connell's letters, or have they been in your possession always?—They were sometimes in Mr. Hamilton's possession.

591. In any other person's, to your knowledge?—Never.

592. You understand the question to apply to the letters mentioned in this statement?—Yes, to the originals which I produced yesterday.

593. The originals which you produced yesterday, together with the copies which have since been destroyed?—Yes.

594. Did you ever publish that letter at Carlow?—No.

595. It was sent direct to the "Times" newspaper in London?—I took it myself.

596. When did you take it?—I said on Thursday, the 29th of October.

597. You are quite clear of the date?—Quite clear.

598. You published a second letter?—Yes.

599. Were you also assisted in that by Mr. Hamilton?—Yes.

600. And by no other person?—By no other person.

601. Then this statement was made with your knowledge and with your authority?—Certainly.

602. "Mr. O'Connell asserts, that he acted throughout the business on behalf and as the trustee of Mr. Vigors, and that I knew it; this I distinctly and positively deny?"—Yes.

603. And you go on to state that you, in fact, kept it secret from Mr. Vigors what your arrangement had been?—Yes.

604. So that the terms never had been discussed between you; and that is also a statement with your authority?—Yes.

605. Sir *F. Pollock.*]—Do you believe that to be an entire copy of the letter that you sent to The Times newspaper? [*a statement being handed to the witness*]—Yes.

606. What is the date of it?—The 20th of October.

607. Did you write only two letters, or was there a third?—Three.

608. It is the third about which Mr. Serjeant Wilde has been asking?—That is not printed.

609. Will you run over this, and say whether you believe that this is a copy of the letter a part of which has been read by Mr. Serjeant Wilde: "Mr. O'Connell asserts that he acted throughout the business on behalf and as the trustee of Mr. Vigors?"—I think it must be this; I never saw this before.

[*Mr. Serjeant Wilde examined the paper, and admitted that it was correct.*]

610. Sir *F. Pollock.*]—At the time you prepared your statement which you published in a letter to The Times newspaper, had you in your possession copies of the letters that you had addressed to Mr. O'Connell?—Yes.

611. Did Mr. Hamilton see those copes?—He did.

612. You say you afterwards burned the copies that you used in preparing that publication?—Yes.

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613. Are the prints that you have seen and the letters you have seen in The Times newspaper copies of those letters?—Except that word "ballot," there was that mistake.

614. Which ought to have been "bulletin?"—Yes, and two or three of the letters were not in right order; that is the only mistake.

615. When did you become a candidate, or enter upon the question of being elected for Pomfret; was it before the November Session of 1834?—The communication was in the November Session.

616. In the month of November?—Yes; but I went down in the month of December.

617. Was the communication in respect of Pomfret made to you before Mr. Vigors called upon you at the Old Bailey?—Yes.

618. Was any thing mentioned by Mr. Vigors at that time about the terms of the Carlow election?—No.

619. You say that you did not obtain a letter of Mr. O'Connell's as an autograph?—No, I have not got it.

620. Have you produced to the Committee every letter in your possession that you ever received from Mr. O'Connell?—Every letter.

Mr. Serjeant *Wilde*.]—My question applied to letters received by others handed to him.

621. Sir *F. Pollock*.]—Have you produced every letter in your possession that came directly or indirectly from Mr. O'Connell, or from any body else upon the Carlow election?—Yes.

622. A letter of the 4th of July, purporting to come from Mr. Pennefather, in your handwriting, is produced; did you write that before or after your taking your seat?—It was after, from the date; it is dated July; I took my seat on the 25th June.

623. You have been asked about a conversation with any one, as to applying the second thousand pounds to pay further expenses; was it explained to you by Mr. O'Connell, or by any body else, in what manner the thousand pounds, either the one or the other, was to be applied?—No.

624. You have been asked as to your understanding of some of the letters that Mr. O'Connell addressed to you; will you take in your hand the first letter you received of the 29th of May?—[*The Witness examined the same.*]

625. What proposal did that allude to, where Mr. O'Connell says, "as you do not accede to my proposal?"—The proposal of risking a thousand pounds.

626. When made?—The 28th of May.

627. "I take for granted that you decline my offer;" did you understand that to be an offer from Mr. O'Connell or Mr. Vigors?—Mr. O'Connell, certainly.

628. Refer to a letter of the 1st of June: "My dear Sir, You have acceded to the terms proposed to you for the election of the county of Carlow, viz. you are to pay before nomination 1,000*l.*; say 1,000*l.*, and a like sum after being returned; the first to be paid absolutely and entirely for being nominated;" was that sum to be paid, whether the nomination was to cost a thousand pounds or not?—Yes; but if I was not nominated, the thousand pounds was to be returned to me.

629. You say that that letter was written by Mr. O'Connell in your presence, on the 31st of May?—Yes, the 31st of May, though dated the 1st of June.

630. Was Mr. Vigors's name in the conversation mentioned any more than it is mentioned here in the letter?—No, as I said before; I said, "I wish Mr. Latouche had been my colleague," because Mr. Vigors was to be my colleague; that is all.

631. Look at the letter dated Wednesday, one that my learned friend has particularly called your attention to: "My dear Sir, I sent you Vigors's letter just received; you see how secure we are;" is that underscored?—Yes.

632. "Return me this letter, as it vouches 800*l.* for me;" is "for me" underscored?—Yes.

633. "With that you have nothing to do;" did you understand you had any thing to do with Mr. Vigors from that letter?—No, not at all.

634. On the 2d of August, you have stated a conversation, you told Mr. Serjeant Wilde, some expression of Mr. O'Connell's, about its being a political shock;

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shock; how came he to use that expression, and to what did it relate?—As soon as I went in, Mr. O'Connell seemed very low spirited, and he had his hand up to his head, and I thought I saw tears in his eyes.

635. What did he say?—He said, "This is the greatest political shock I have ever received;" and I said, "Never mind, Mr. O'Connell, never mind."

636. What was the state of the prospects of the election, as represented then by Mr. O'Connell and Mr. Vigors?—I began to fear, from his conversation, that I should be soon unseated; and now I recollect Mr. O'Connell said, "Ireland ought to make a representation for you, for the sacrifices you have made; Ireland ought to make a representation for you."

637. That was the day before the letter which spoke about your being a baronet?—Yes.

638. In your answer to that letter, you speak about the prospect of being unseated; did you derive that from the conversation that you have alluded to?—Yes, I did so.

639. Did you understand the merits of the election, the number of votes that were disputed on either side?—No, I did not; I paid no attention to it, for I used to say to every body, "I have nothing to do with it."

640. If you had known from Mr. O'Connell and Mr. Vigors that there was no chance in the committee at all, should you have continued in the contest?—I would not have defended the petition. Mr. Vigors told me, on his return from Ireland, "there may be a petition, perhaps there will not, and we may lose perhaps a vote or two, but we shall gain a great many more from the other side; our majority will be increased," and I did not know at that time that Mr. Vigors' 70 tenants were the 70 voters. Afterwards I heard, during the petition, that 70 of his voters were the bad voters; if I had known that 70 of our votes were such bad votes, I would not have defended the petition.

641. On that 2d of August, or before you continued the petition at your own expense, did you understand whether the contest was hopeless, or whether it would be so expensive, that the parties did not like to go on with it, namely, Mr. O'Connell and Mr. Vigors?—Mr. O'Connell said, on the Sunday, "I shall wait till the second vote is disposed of, that is all."

642. And when was the second vote disposed of?—The second vote was disposed of on Tuesday morning, the 4th of August, or perhaps it was disposed of the day before I went, by appointment, to the Westminster Club; on the Tuesday Mr. O'Dwyer saw me, and told me, "Your vote is struck off;" whether it was struck off that morning, or the day before, I do not know.

643. My learned friend asked you as to your construction of a letter of the 25th of July; your attention was called to this: "It is necessary, absolutely necessary, it should be paid this day?"—"Absolutely necessary" is scored under, and "this" is scored under.

644. "Let me know at once who is to give it me; I have a note from Mr. Vigors, to whom I am pledged, pressing me on this subject;" did you consider that you were pledged to Mr. Vigors, through the agency of Mr. O'Connell, at this time?—No.

645. And your attention was called to the other expression, "I of course am bound to him for the money;" did you consider you were bound to Mr. Vigors for the money?—No, I only looked to Mr. O'Connell, and no one else.

646. Had you ever any statement made to you to what purpose the money was to be applied, if there had been only a show of a contest, whether legal or illegal?—No, nothing was said to me, no communication was made to me; I presumed, of course, that it was for legal expenses; having to deal with so great a lawyer as Mr. O'Connell, of course I knew that he was not doing anything illegal.

647. You are aware that if after your nomination you had been returned without a contest, the second 1,000*l.* could not have been wanted for the expenses of the election?—That I cannot tell, what the expenses upon election will come to.

648. You do not know any thing at all about it?—I do not know.

649. You do not know what the expense of a Carlow election has been?—No.

 650. Whether

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650. Whether 4,000*l.* would be sufficient, or any other sum?—No.

651. My learned friend asked you whether you did not say Mr. O'Connell was a friend that you wished to consult in a conversation with Mr. Vigors; in point of fact, who was the friend whom you wished to consult upon the subject?—I did not say that I wanted to consult with a friend.

652. Did you consult with Mr. O'Connell?—I wrote to Mr. O'Connell, expecting an answer from him; instead of that, he did me the honour to pay me a visit, to come under my roof, which I thought a great condescension on his part.

653. In that conversation did he mention the name of Mr. Vigors as the person with whom he was treating?—No.

654. You were asked about the payment of 1,000*l.*, or credit given for it to this day; have you received any bill of the entire expenses from Mr. Baker?—No, and we cannot get it, even yesterday my solicitor applied for it.

655. Do you know now whether you have received credit for the 1,000*l.*?—Yes, by a letter written by Mr. Baker to Mr. Hamilton, to say, "I will give you credit for the 1,000*l.*"

656. Is that deducted from a large amount, of which you have no particular items, or have you not the accounts?—We have not the accounts; he only said from the commencement, "I have 350*l.* only, and I have paid more than 800*l.* to counsel, and I must have money."

657. Ultimately, you say, he said he gave you credit for the 1,000*l.*?—He wrote to Mr. Hamilton.

658. Without delivering any bill?—Yes.

659. You say Mr. Hamilton was the gentleman who assisted you in preparing that letter for "The Times" newspaper?—Yes.

660. Did he also assist you in preparing the second and third letter?—I composed it, and he afterwards looked over it, and made a better thing of it, and I had great confidence in his judgment.

661. Did any other person assist you?—No other person; in the third letter another friend of mine assisted me.

662. Did you consult Mr. Hamilton during any part of the arrangement which you were making with Mr. O'Connell?—Every thing, he was my confidential solicitor and my friend.

663. Was he aware of the whole negociation while it was going on?—The whole of it, from the very commencement.

664. And when Mr. Vigors and Mr. O'Connell withdrew, did you apply to him upon the subject?—To be sure I did.

665. Had Mr. Hamilton attended the committee every day on your behalf as your friend?—Yes.

666. You said that he declined himself acting as the agent in Parliament, and Mr. Baker being already there, you allowed him to go on?—Mr. Baker on the 5th of August offered to throw up the papers to Mr. Hamilton if I would pay his bill, and I wished Mr. Hamilton to take them up; but Mr. Hamilton said, "I shall not do justice to you or to myself;" and then I requested him to be there as my friend, and he said, "It will be taking money from your pocket;" and I said, "Never mind that;" and he said, "It would be five guineas a-day." I said, "You are worth more than that to me."

667. You have paid Mr. Baker certain sums?—I have drawn in favour of Mr. Hamilton 1,300*l.*, and he pays Mr. Baker, besides the 2,000 which I paid Mr. O'Connell.

668. When was the first application made to you by Mr. Baker for money?—I believe it was about the 4th, 5th or the 6th of August, or thereabout.

669. Was it before or after that interview at which Mr. O'Connell said, according to your account, that all was right?—I must endeavour to recollect.

670. Did Mr. Baker apply to you for any money?—He used to apply to Mr. Hamilton, and not to me.

671. Was that before or after the 4th of August?—I cannot recollect that.

672. Do

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672. Do you remember on what day it was that Mr. O'Connell spoke to you at the door?—That was the 4th of August, at the Westminster Club.

673. Do you know whether Mr. Baker had made any application for money before that?—No, I do not.

674. Mr. Serjeant *Wilde.*]—Who was present at that meeting of the 4th of August, at the Westminster Club?—Mr. Vigors.

675. Any body else?—Nobody else.

676. Are you sure of that?—Nobody else, for Mr. O'Connell went and shut the doors; there were three doors in the room, and there was an inner room, and he went to see whether any body was there, and he shut the two other doors, and we went to the furthest part of the room, and there he sat, and I sat opposite to him.

677. Had you gone there alone?—I went alone, and met Mr. Vigors there.

678. Did you see any friend of yours?—I saw Mr. O'Dwyer in the room down stairs.

679. You went alone there?—Yes.

680. Did any person connected with yourself come there to you while you were there?—No.

681. You went alone, and left alone?—I may have gone with my young friend in my carriage.

682. There was nobody with you?—He may have waited in my carriage for me.

683. So that you were from the beginning to the end alone with Mr. O'Connell?—Yes, with Mr. Vigors.

684. Did the door of the room open into a hall or passage?—It was in the first floor.

685. Did it open into the passage?—It was the back drawing-room, and the inner room was a third room.

686. Then, was the door at which Mr. O'Connell stood when he said it would be all right in three days, opening into another?—No, that was a door opening into the landing place.

687. Was there any person then in the passage waiting for you?—I do not know, we saw no one there.

688. Have you any objection to state who assisted you in the third letter?—I do not think I am justified in stating that; it was not at all of a political character; it was an old friend of mine, that I had known from a child.

[*The following Letters were delivered in.*]

No. 1.

A LETTER to the ELECTORS of *Carlow*, by ALEXANDER RAPHAEL, Esq. late M. P. for that County; including his Correspondence with DANIEL O'CONNELL, Esq. M P.

Gentlemen,—A report having been circulated that, in withdrawing at the time I did from any further opposition to the petition by which Mr. Vigors and myself were removed from the high honour of being your representatives, I had abandoned your interests, and sacrificed, for the present, the independence of your county, I think it a duty to myself, and to you, who so nobly returned me, a perfect stranger, as one of your representatives, to state fully and unreservedly the origin of my connexion with your county, and the circumstances under which I embarked in, and was ultimately and most reluctantly compelled to withdraw from, a contest, before a Committee of the House of Commons.

In making this statement, I shall avoid as much as possible entering into any detail which might admit even of a colourable contradiction, and confine myself to a publication of that which is incapable of being controverted, with such observations only as appear to me necessary to render the whole transaction intelligible to you; my object being, that those worthy and independent electors who kindly honoured me with their confidence and suffrages should be convinced that I resisted to the utmost the attempts made to deprive a vast number of you of your elective franchise, and that the defeat you and I have sustained was owing to circumstances over which I had no control—to the conduct of others, which

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which neither you nor I could have believed possible, and of course could not guard against.

Having for many years been ambitious of a seat in Parliament, and knowing the influence which Mr. O'Connell possesses in Ireland, I addressed a letter expressive of such my wish. A petition was then pending against the return of Colonel Bruen and Mr. Kavenagh, as your representatives, and on the 27th of May the Committee declared their election void. On the 28th of May Mr. O'Connell called on me at my town residence, and pressed me to become a candidate for the county of Carlow, assuring me that the only risk I could incur would be 1,000 *l.* I requested 24 hours' time to consider, and on the following day, at the exact hour appointed, I called at Mr. O'Connell's, and was told by the servant he was not home; in the evening I received the following note, in consequence of which an appointment was made for an interview between us at his house for the 31st of May:—

" My dear Sir, " 9, Clarges-street, May 29th, 1835.

" I remained at home, at some inconvenience, until after the hour I mentioned. I was sorry I did not remain longer, as you called shortly after; but as you left no letter or other indication of acceding to my proposal, I take for granted that you decline my offer—be it so. I only add my belief that you will never again meet so safe a speculation; I am quite sure I never shall hear of one.

" I have the honour to be, my dear Sir, your very faithful,

" Alexander Raphael, Esq." " *Daniel O'Connell.*"

On the 31st we met, as appointed, and after some discussion he wrote and delivered into my hands this letter:—

" My dear Sir, " 9, Clarges-street, June 1, 1835.

" You having acceded to the terms proposed to you for the election of the county of Carlow,—viz. you are to pay before nomination 1,000 *l.*,—say 1,000 *l.*, and a like sum after being returned,—the first to be paid absolutely and entirely for being nominated, the second to be paid only in the event of your having been returned, I hereby undertake to guarantee and save you harmless from any and every other expense whatsoever, whether of agents, carriages, counsel, *petition* against the return, or of any other description; and I make this guarantee in the fullest sense of the honourable engagement, that you should not possibly be required to pay one shilling more in any event, or upon any contingency whatsoever.

" I am, my dear Sir, your very faithful,

" A. Raphael, Esq." " *Daniel O'Connell.*"

At this meeting I gave Mr. O'Connell the address which I had formerly published to the electors of Westminster, which he promised to alter, and I became a candidate for the high honour of representing you in Parliament.

At a subsequent interview Mr. O'Connell wished me to pay the first 1,000 *l.* to his credit with Wright & Co., but I told him I preferred it going through the hands of my solicitor, Mr. Hamilton, with whom I would leave the money. On the 4th of June he sent me the following note:—

" My dear Sir, " 9, Clarges-street, June 4, 1835.

" I have heard from Mr. Vigors this day our prospects are quite bright. I will arrange your address for to-morrow's post, and my own for immediate publication. I at present entertain no doubt of success; you will hear again from me to-morrow. Who is Mr. Hamilton, with whom you have deposited the 1,000 *l.*? I do not know any person of that name in London. I hope I shall soon have the pleasure of sitting by your side in the House. Till to-morrow, I have the honour to be,

" Your very faithful servant and friend,

" A. Raphael, Esq." " *Daniel O'Connell.*"

On the 5th of June I received a note from Mr. Morgan O'Connell, apologising, by his father's direction, for not having written according to his promise, and on the 8th I received the following letter:—

" My dear Sir, " London, June 8, 1835.

" I sent off yesterday my letter to the electors of Carlow on your behalf; all my accounts confirm my opinion of an easy victory; I doubt whether there will be more than the show of a contest, but I am assured in any event of success. I send you a slip of a Carlow newspaper, showing that you are already nominated under the most favourable auspices. I also send you the draught of an address; I beg of you to peruse it, and to return it to me with any corrections you may deem necessary, or if you approve it, *then* with your signature: my wish is that you should alter it as little as you possibly can. I also send you a sealed letter from Mr. Vigors. I beg of you to return the address as near to 4 o'clock this day as you can, that I may transmit it to the *Dublin Pilot* for publication on Wednesday next. All the *good* men of Carlow see that paper. Let me know who the Mr. Hamilton is with whom you deposited the 1,000 *l.*; I expected you would have lodged it at Mr. Wright's. It is time *this* were done.

" Faithfully yours,

" Alexander Raphael, Esq." " *Daniel O'Connell.*"

On

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On the 10th of June Mr. John O'Connell called on Mr. Hamilton with a note from his father, and received 1,000 *l.*, for which he gave a memorandum. The following is a copy of the note and memorandum :—

" Sir, " Wednesday, June 10, 1835.

" I beg you will hand my son, Mr. John O'Connell, the 1,000 *l.* placed with you by Mr. Raphael for my use. My son will give you a voucher at foot.

" I have the honour to be, Sir, your obedient servant,

" To T. Hamilton, Esq., 2, Henrietta-street." " *Daniell O'Connell.*"

" I acknowledge to have received 1,000 *l.* by draught on Wright & Co.

" June 10, 1835" " *John O'Connell.*"

And on the same day, previous to the receipt of the money, I having communicated to him by a friend of mine, that Mr. Fergus O'Connor called upon me for my decision respecting Carlow, he sent me the following note :—

" It is not my fault that Mr. Fergus O'Connor called on you. Refer him and every body else to *me*. I want part of the 1,000 *l.* to send over. How shall I communicate with Mr. Hamilton ?

" All well, quite well, in Carlow. Faithfully yours,

" Wednesday." " *Daniel O'Connell.*"

On the 13th I received a letter from Mr. O'Connell, with the form of the oath to be made by me as to my qualification, and with directions before whom it was to be sworn ; that letter contained these passages :—

" I am glad to tell you that our prospects of success are, I do believe, quite conclusive ; if only one liberal is to be returned, you are to be *the man*. I have made all the pecuniary arrangements, &c."

On the 17th Mr. O'Connell wrote me the following :—

" My dear Sir, " Wednesday.

" I send you Vigors's letter to me, just received ; *you see how secure we are*. Return me this letter, as it vouches 800 *l. for me* ; with that you have nothing to do, as, of course, I stand between you and every body.

Faithfully yours,

" Alexander Raphael, Esq." " *Daniel O'Connell.*"

The day after I received the following note :—

" June 18, 1835.

" I inclose you the bulletin of this morning. Nothing can be better. Ever yours faithfully,

" A. Raphael, Esq." " *Daniel O'Connell.*

" Mr. Tyrrell did not work with the people at the last election."

I must observe, that though I paid the 1,000 *l.* in cash, I have been informed that the 800 *l.* here mentioned was remitted in a bill at a long date, drawn by Mr. O'Connell upon some persons carrying on business as brewers in Dublin, a circumstance that was not very well calculated to induce the electors, or those to whom the money was remitted, to entertain a very high opinion of my pecuniary means. I have also been informed that nothing beyond the 800 *l.* has been expended or received in the county. What became of the other 200 *l.*, or what would have become of the second 1,000 *l.* in case I had been returned without a contest, or without a petition, it is no business of mine to inquire.

On the 21st of June Mr. O'Connell communicated to me the gratifying intelligence that I had been returned one of your representatives, by the following letter :—

" My dear Sir, " Clarges-street, half-past 3, June 21, 1835.

" Glorious news ! Raphael and Vigors returned on Thursday. I do not know the exact majority, but I know the *fact*. I heartily congratulate you. My communication is from a Cabinet Minister, but this is private. You can take your seat to-morrow. Ever yours faithfully,

" *Daniel O'Connell.*"

And on the following morning, the 22d, I received this short note :—

" Alexander Raphael, Esq., M. P. Ultimate majority, 56. You are entitled to get your letters *free* this day."

On the 25th I took my seat in the House of Commons with a full determination to do every thing in my power to redress the grievances under which Ireland, and in particular its Catholic inhabitants, had so long suffered ; but at the same time equally determined to act as became the *independent* representative of so large and influential a body of electors as those who had honoured me with their confidence and suffrages.

On the 3d of July a petition was presented against the return of Mr. Vigors and myself ; and it is important to bear in mind that it was evident, from the allegations contained in it, that his and my right to the seats would be decided on a *scrutiny* ; hence the necessity for an immediate and active investigation into all the votes on both sides, and for measures being taken to defend those seats and your rights before a Committee of the House of Commons.

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1 March 1836.

On the 16th or 17th of July the petitioners perfected the necessary recognizances, and on the latter day I received the following letter:—

" My dear Sir, " 9, Clarges-street, July 17, 1835.

" Send to Mr. Baker* the particulars he wants of your qualification. I will stand between you and him for all expenses. I promised you, and repeat distinctly my promise, that upon payment of the second 1,000 *l.*, to which you are at all events engaged, no demand shall be made upon you for one additional sixpence. Do, then, at once pay the other 1,000 *l.* into Messrs. Wright's to my credit. Confer with Mr. Baker as to his defence as much as he chooses. I am bound to indemnify you from all expenses beyond THAT 1,000 *l.*—that is the second sum.

" Believe me to be, very faithfully yours,

" Alexander Raphael, Esq." " *Daniel O'Connell.*"

On the 28th I received this note from Mr. O'Connell:—

" My dear Sir, " 9, Clarges-street, July 25, 1835.

" You did not say to whom I was to apply for the second sum of 1,000 *l.*, according to our arrangement. It is necessary—*absolutely necessary*—it should be paid *this* day. Let me know at once who is to give it to me. I have a note from Vigors, to whom I am pledged, pressing me on this subject. I, of course, am bound to him for the money.

Faithfully yours,

" A. Raphael, Esq." " *Daniel O'Connell.*"

On the following day I informed Mr. O'Connell by note that my solicitor, Mr. Hamilton, would be in Henrietta-street, and requested him to call on him. This he did not do, but sent his son, Mr. John O'Connell, to whom Mr. Hamilton stated that my understanding of the original engagement between us, in which he fully coincided, was, that the second 1,000 *l.* was not to be paid until the seat was safe. This Mr. John O'Connell promised to communicate to his father, from whom I received on the night of that day, on my return from the House of Commons, the following letter:—

" Sir, " 9, Clarges-street, July 27, 1835.

" I can hardly restrain my feelings at hearing that you shrink from performing your engagement with me. Rely on it you are mistaken if you suppose that I will submit to any deviation from our engagement. I say no more at present, in the hope that there may be some mistake, which you will INSTANTLY do away; there can be no mistake on my part.

" I am, in the mean time, your obedient Servant,

" Alexander Raphael, Esq." " *Daniel O'Connell.*

My first impression on reading this very extraordinary epistle, to say the least of it, was to abandon my seat at once; but on further reflection, and after advising with my friends, I determined to submit for the time to the insult thus offered, and by paying him the second 1,000 *l.* to remove from Mr. O'Connell all possible pretext for the non-fulfilment of the engagement on his part. Accordingly, on the next day I sent him this reply:—

" Sir, " Great Stanhope-street, July 28, 1835.

I deny most positively that I have in any respect shrunk from performing my engagement with you. On the other side you will find a copy of the letter you gave me (viz. that of June 1.) You must recollect the conversation we had prior to that being written. My understanding at that time was, and ever since has been, that I was to risk only 1,000 *l.*, and that the other 1,000 *l.* was to be paid only in the event of the seat being secured; you, it seems, put a different construction on it; and, as I presume, we both wish only what is right, I would suggest that the question should be decided by some mutual friend. In the mean time, to prevent all possibility of doubt as to the good faith on my part, I have authorized Mr. Hamilton to pay the 1,000 *l.* In conclusion, it pains me to say that the tone of your letter was quite unwarranted by any thing on my part.

" I am, Sir, your faithful and obedient servant,

" To Daniel O'Connell, Esq." " *Alexander Raphael.*"

On the same day, viz. July 28, Mr. John O'Connell received the second 1,000 *l.*, and half an hour afterwards the ballot took place and the committee were nominated.

On the 31st a letter was put into my hands as I was going into the House of Commons, to be delivered to Mr. Vigors, who afterwards informed me it was from the agent, and was a very important letter; to which I replied, that I had nothing to do with it, and referred him to Mr. O'Connell. What the contents or purport of it was I did not then know, but have since been informed that it contained a statement of the probable expenses that would be occasioned by the scrutiny.

On the 2d of August I met Mr. O'Connell by appointment at his house, when he made many violent observations on what he called the partial conduct of the Tory committee, and stated that he would wait until two votes were disposed of before he determined what course he would take; but not one word fell from him on this or any other occasion, intimating that the opposition to the petition was proceeding at my expense. I could not, however, from

* The agent employed by Mr. O'Connell.

from certain expressions used by him, but entertain doubts that it was his intention not to carry on the contest much longer, and that he would avail himself of the first plausible opportunity of withdrawing from it. In this I was confirmed by the receipt, on the following morning, of a letter from that gentleman, containing something in the shape of an offer or proposition so extraordinary and unexpected that I really knew not what to make of it, except, indeed, to prepare for and reconcile me to his then intended breach of engagement, and to induce me to believe that it was not only his desire to make some atonement for the consequences of such an act, but that it was in HIS POWER to compensate me in some other way for the loss of my seat, which was now reduced to a certainty, so far at least as depended on him for his pecuniary or other support. But as this letter was marked "strictly confidential," I am not now disposed to allude further to its contents, but am ready to publish it and my reply, if Mr. O'Connell will permit me, to make this narrative complete: suffice it therefore at present to say, that I was not to be blinded or duped by this attempt "to blarney and humbug me;" and only now quote the following extract from that reply:—"I rely, however, on your fulfilling your engagement with me to secure my seat, if possible, by fighting the battle so long as a bad vote for the petitioners remains on the poll, or at all events to the end of the present session. To allow 56 of our votes to be struck off would leave fearful odds to contend with on a future vacancy."

On the 4th of August, Mr. Vigors, Mr. O'Connell and myself, met by appointment at the Westminster Club, and I was then informed that the committee had that day struck off the first vote. This, of course, led to some discussion, when I learned, for the first time, to my very great surprise that Mr. Vigors had not contributed, and would not contribute one shilling towards the defence of the seats!!! Mr. O'Connell left it beyond doubt that he did not intend any longer to defend the seats, consequently there was no alternative but for me, after having advanced the 2,000*l.* in the confidence reposed in a brother Catholic, either to fight the battle single handed, or to abandon at once all further opposition, and give the seats at once to Colonel Bruen and Mr. Kavenagh. Placed in this very embarrassing predicament, I determined, at all events, to continue the opposition for a day or two, to give me an opportunity of conferring with my friends. Hitherto I had not been consulted either directly or indirectly, and had not taken any part in getting up the case on the part of the sitting members. Counsel had been retained and an agent appointed, of whom I knew nothing, without any communication with me. I was of course in entire ignorance of the merits of the case on the part of the petitioners, as well as of the sitting members; but had been assured there were more bad votes on the part of the petitioners than of the sitting members; and that the same evidence, as to value which would disqualify the latter, would in its turn apply to the former, and that little doubt existed of the petitioners being defeated. To have abandoned the contest would not only have given the seats to Colonel Bruen and Mr. Kavenagh, but would have enabled them to prosecute the scrutiny on their part as long, and in any way they pleased; and in the absence of opposition they could not have had any difficulty of striking off nearly the whole of the votes they had objected to (upwards of 200), which would have given them such a decided majority as would have rendered any opposition at a future election unavailing, until another registration had taken place. I resolved, therefore, not to allow the county to be left in that predicament without a struggle, and relying on the assurance that our case was good, I went on with the opposition, but in the mean time addressed this letter to Mr. O'Connell, which he thought it prudent not to reply to, or take any notice of;—

"My dear Sir, "Great Stanhope-street, August 5, 1835.

"I cannot express how deeply I feel in being left by you in the painful dilemma either of running away from the fight, with a majority of 56 in our favour, or to commence from to-morrow an expensive and uncertain contest, without a single sixpence from my colleague. I have, however, by the advice of my friends, determined to continue the contest for a day or two longer, reserving always to myself, if necessary for the vindication of my character towards my constituents of Carlow, any other mode of proceeding which I may be advised to adopt. I therefore once more call upon you, as an act of justice to me, to fulfil your engagement, as you must be convinced (and you have yesterday declared*) that I have acted throughout the transaction in the most honourable manner towards you.

"I am, my dear Sir, your faithful and obedient servant,

"*Alexander Raphael.*"

On the following day I had an interview with Mr. Baker, the Parliamentary agent before-mentioned, who had been employed by some one, and I naturally infer by Mr. O'Connell, certainly not by me, or with my knowledge, who stated, however, that he had nothing to do with Mr. O'Connell, but looked to me, and me only, for the expenses of opposing the petition.

The scrutiny continued until the 17th of August, when the petitioners having struck off 105 votes, and thus converted our majority of 56 into a minority of 49, declared their case for the present closed, reserving to themselves the right of going on with their objections to the remainder of our votes, in case we should strike off a sufficient number of theirs to turn the majority.

In

* In the presence of Mr. Vigors.

Alexander Raphael, Esq.

1 March 1836.

In order to render the cause of our defeat intelligible to you, it is necessary I should state, the committee, on the commencement of the investigation, came to the resolution that the votes *objected to before the revising barrister in* 1832, should be first inquired into it became essential therefore, in the first instance, to give some evidence that the persons whose votes were now sought to be impeached had been then objected to, and on the part of the counsel employed by some one, but certainly not by me, to oppose the petition; it was insisted that *strict* proof should be given that specific objection was taken to each individual as he came up to register, and that it was not sufficient to show that a general objection was taken by cross-examination of the party. This evidence the petitioners were, fortunately for them, and unfortunately for us, enabled to give in every case by means of a very active and intelligent agent, who had attended the registry, and who produced the book in which he at the time made memoranda of his objections. When the counsel employed on behalf of Mr. Vigors an myself required our opponents to go into this minute proof, they must, I presume, have been instructed that we should be in a situation to give similar evidence, when called upon to support our objections to the votes of our opponents.

Whether they were so instructed or not I know not, but when it came to our turn to prove our case, we had, sure enough, the revising barrister, one of the counsel, one of the agents, and several other persons, all of whom could speak to the general nature of the objections, but not one of whom could particularize more than about a dozen individuals to whose right of voting any specific objections had been taken, and even about those they could not speak with certainty. A book had indeed been kept at the time of the registration, which, if produced, would have enabled the agent to give the requisite evidence; but owing to some unaccountable blunder the party who was known to have possession of it was not summoned, but remained quietly in Carlow. Counsel, it is true, attempted to support three or four objections, but being required to give the same kind of evidence which had been required of our opponents, and which they had in consequence given, we, to use a law phrase, immediately "broke down." To have continued the contest longer under such circumstances, would have been not only unavailing, but might have induced the committee (seven of whom were tories) to have voted the opposition frivolous and vexatious. I therefore, under the advice of our counsel and agent, determined to offer no further opposition, and in so doing I trust you will think I have made out a sufficient justification, and that so far from in any way sacrificing your rights or abandoning your interests, I have done every thing in my power to preserve and protect them, and that I have not in any respect forfeited that confidence which you were pleased to place in me when an entire stranger to you, and which, I flatter myself, you will on some future occasion again honour me with.

I am aware that in thus making public what has passed between Mr. O'Connell and myself, I shall expose myself to that person's customary and vindictive abuse and calumny; but I feel that the liberal electors of Carlow are nevertheless entitled to this explanation, and if any thing he can do, or leave undone, can after recent disclosures surprise his fellow countrymen, it will be that he has never had the good feeling or decency to express, on any occasion, either by letter or otherwise, one word of regret for what has occurred, or at the untoward termination of what he was pleased to designate as a safe "*speculation*" in which I embarked under a perfect reliance on his honour, patriotism and integrity, and under the circumstances in part before detailed.

That I may not do him an injustice, it is but fair that I should, in conclusion, observe that the second sum of 1,000*l.* has been accounted for by his paying in cash 350*l.* to Mr. Baker towards the law charges, and after repeated applications made for the balance, by giving him a bill for it at a long date, drawn by Mr. O'Connell himself on the self-same brewers as the 800*l.* before alluded to was drawn on.

Such, Gentlemen, has been the conduct of the individual who, in his letter recently addressed to the Duke of Wellington, with his usual modesty, thus speaks of himself—

"The Irish nation know me to be *sincere* and *honest*; they confide in my moral courage and indefatigable perseverance."

This, Gentlemen, may be your opinion; it most certainly is not mine.

With many and grateful thanks to you for your exertions in my favour,

I have the honour to be, Gentlemen,

Your faithful and obedient servant,

Alexander Raphael.

Great Stanhope-street, October 20, 1835.

No. 2.

Alexander Raphael, Esq.

1 March 1836.

To the ELECTORS of the County of *Carlow*.

Gentlemen,—Mr. O'Connell, in a letter addressed to the "men of Westminster," has had the daring effrontery to repeat, in a more offensive manner, and to attempt to justify, the foul and opprobrious epithets contained in his former calumnious reply to my address to you of the 20th of October.

It was my determination, as stated in my letter of the 13th of November, not to take any further notice of Mr. O'Connell's audacious assertions, but to wait patiently until an opportunity was afforded before a competent tribunal of refuting his denials, and of proving, by indisputable evidence, that the statements contained in my address were, each and every of them, in substance, if not to the very letter, correct.

There is, however, a point beyond which it is impossible for human nature to endure unmerited calumny; and to submit longer in silence might be construed into an admission on my part that Mr. O'Connell's assertions are founded in fact.

It may be mighty convenient for him to talk about "the privacy of confidence being violated, and private letters published and misapplied," but whose fault is it—and how stands the case between us on this point? We entered into an engagement binding in honour on us both. I performed my part; he forfeited his written guarantee. I had no redress, and the only satisfaction I could have was by making the whole transaction public, to "preclude him from ever deceiving any one else again."

Had Mr. O'Connell fulfilled his contract, and I had divulged either the conversation or the letters that had passed between us, "I admit, I fairly admit," I should have richly merited the epithets he has bestowed; but when he basely abandoned his engagement, am I to be debarred the privilege of proving, from his own communications, that my charge against him was well founded?

I hold it to be an incontrovertible axiom in the laws which regulate the proceedings between man and man in affairs the fulfilment of which depends wholly on the honour of the parties, that, so long as both of them perform the compact they have entered into, so long every thing that passes between them of a confidential nature is to be held sacred; but that whenever either of them violates his part of the engagement, from that moment every obligation of secrecy is by him discharged, and all that has occurred becomes the property of the aggrieved person, to be by him used in any manner that circumstances may require, either in vindication of his own character, or in support of any charge he may feel compelled to make against the violator of the contract. If such were not the rule by which the conduct of mankind was governed and controlled, vast indeed would be the advantage which the knave would have over the unsuspecting and honest man; the former would only have to delude his victim by plausible pretexts and promises, and, by marking them "confidential," preclude his knavery from being established, whenever it suited his purpose to abandon or betray the party who had relied on and confided in his honour.

Away then, I say, with all the cant and hypocrisy about breach of confidence: whatever implied understanding might have been supposed to exist, that the communications between Mr. O'Connell and myself were confidential, has been put an end to by Mr. O'Connell, who, by his previous conduct, justified me in the course I originally pursued; and as he still persists in his atrocious attacks on my veracity, I feel myself fully warranted in publishing the private letter alluded to in my former address, of which Mr. O'Connell has, for obvious reasons, thought it most prudent not to take the slightest notice. I shall, however, refrain from doing so *for the present*; but if he has the hardihood to again give utterance to his vile slanders on my personal character and credibility, I will at once put to the test *his* veracity, and, by the production of that letter, give him an opportunity of proving, either that he had sufficient *authority* for making the unsolicited and unlooked-for communications to me, which in that letter he represents he had, and of explaining whether it was in consequence of his being called on to account for, and refund, the second 1,000*l.*, or for what other reason, that the allurements he then held out were not realized—or, if he cannot prove this satisfactorily, to convict him by his own handwriting of being little better than an impostor, and one on whose word no reliance is to be placed.

In my former address I studiously avoided entering into any detail which might admit even of a colourable contradiction. My statement consisted of facts proved under Mr. O'Connell's handwriting, with the exception only of the last paragraph, relative to his application of the second 1,000*l.*; this is the only part of my letter which he has ventured to contradict, and in so doing, he now asserts that in seven lines I have published no less than *six* "distinct, direct and wilful falsehoods." In his first letter he enumerated only *five*; like Falstaff's slain, the inventive genius of this "falsificator" increases the number each time the tale is told—how he makes out the *sixth* I know not, unless it be that he reckons his own assertion one.

That I may not even now do Mr. O'Connell any injustice, I will here insert that paragraph and his reply to it.

My statement was, "That the second 1,000*l.* had been accounted for by his paying in cash 350*l.* to Mr. Baker, and after repeated applications made for the balance, by giving him a bill for it at a long date, drawn by Mr. O'Connell on the same brewers as the 800*l.* before alluded to was drawn on."

Alexander Raphael, Esq.

1 March 1836.

Mr. O'Connell's assertion is, "that it is false that the 1,000 *l.* was accounted for in the way stated; that he never paid 350 *l.*, or 1*s.*, to Mr. Baker; that Mr. Baker, nor any other person, ever applied to him, or had any occasion to apply to him, for the balance; that he never gave Mr. Baker a bill for any sum upon any brewer or brewers, or any bill at any date; that neither the 800 *l.*, nor any part of it, was paid to any person by a bill drawn on any brewer, and that he never in his life drew a bill on any brewer."

Now, gentlemen, it is possible that Mr. O'Connell may not with his own hands have either paid to Mr. Baker 350 *l.* or delivered to him a bill for the balance; but this I know, that Mr. O'Connell received from me 1,000 *l.* in cash; that he had referred me to Mr. Baker as his agent, between whom and me he would stand for all expenses. It is admitted that 350 *l.* was paid to Mr. Baker by some person or other, and I naturally inferred either by Mr. O'Connell or by his direction. Be that as it may, I was repeatedly told, and so was my solicitor, during the proceedings before the committee, that several applications were made to Mr. O'Connell for the balance, that he at length did account for it, by giving a bill at a long date on the same firm on whom the former bill was drawn (said to be brewers in Dublin); that that bill was handed over to Mr. Baker; that on remonstrances being made against this mode of accounting for what had been received in cash, it was stated that Mr. O'Connell had added the interest and discount to the amount due, and that, as the former bill had been discounted, there would be no difficulty in getting this also discounted, and that ultimately Mr. Baker took the bill and agreed to consider it as cash.

Whether the whole of this be "pure invention or wilful falsehood," I neither know nor care. I originally stated it, and now repeat it on information given at the time by authority which neither myself nor my solicitor had any reason to doubt or suspect, and which, I believe, not even Mr. O'Connell himself will venture to impugn.

Whether, therefore, the representations now made by Mr. O'Connell, or those communicated to me in August last, be the correct ones, I know not. They cannot both be true, and they are none of my fabrication.

Mr. O'Connell asserts, that he acted throughout the business on behalf, and as the trustee, of Mr. Vigors, and that I knew it: this I distinctly and positively deny; indeed, so little did I suspect that such was the case, that at the meeting on the 4th of August I told Mr. O'Connell that so secret had I kept every thing that had passed between us, I had not even mentioned to Mr. Vigors one word about the terms or nature of our engagement; and in confirmation of my statement I appealed to that gentleman, who instantly stated it was true; and Mr. O'Connell then observed that my conduct throughout had been highly honourable. How, then, is it possible that I could have suspected, much less known, that Mr. O'Connell acted as the "surety" and agent only for Mr. Vigors? Such a circumstance was never stated to me, and I never heard of it until I read Mr. O'Connell's letter. Indeed his correspondence with me proves throughout that such was not the fact.

There is another subject to which I ought to advert. Mr. O'Connell in his last address accuses me of "having deluded him into a mistaken opinion of entertaining honest opinions in politics." I utterly deny that I practised any deception upon him on this or on any other point; on every division that took place during the short time I had the honour of a seat in Parliament I voted with the Government, and I would have supported every useful measure of economy, retrenchment and reform, which might have been brought forward. If Mr. O'Connell fancied that I would go beyond this, and vote for every measure which he might think proper to propose, whether I approved of it or not, he had indeed deluded himself into a mistaken opinion of what would be my conduct; and he would have found that, on all such occasions, I should have acted as became the really independent representative of the county of Carlow.

Gentlemen,—I am well aware that in thus venturing to continue a controversy with Mr. O'Connell I labour under almost insurmountable difficulties—that I am no match for him in the use, or rather abuse, of the English language, and that I subject myself to all the venom and rancour which his malignity and disappointment can give vent to. I console myself, however, with the reflection that "Magna est veritas, et prævalebit," and that I have done some service to the public by exposing the doubledealing of this agitating mendicant.

I have now done with Mr. O'Connell. His conduct has compelled me to make these transactions public, and I appeal with confidence to the judgment of every honourable and impartial mind whether I am not fully justified in so doing; and whether his elegant epithets of "indescribable vagabond," faithless creature," and "mighty great liar," instead of being referable to me, may not with more justice, propriety and truth, be applied to a certain other individual? Ben Jonson certainly foresaw this man when he described one who—

> "Gives forked counsel, takes provoking gold
> On either hand, and *puts it up.*
> Of so perplex'd a tongue,
> And loud withal, that would not wag, nor scarce
> Lie still without *a fee.*"

I remain, Gentlemen, your most obedient and obliged servant,

Great Stanhope-street, Jan. 17, 1836. *Alexander Raphael.*

Thomas Hamilton, Esq. called in; and Examined.

Thomas Hamilton, Esq.

1 March 1836.

689. Sir *Frederick Pollock.*]—YOU are a solicitor, and partner in the house of Few, Hamilton & Few?—I am.

690. How many years have you been a solicitor?—About 25 years.

691. How long have you known Mr. Raphael?—Five or six, or six or seven years.

692. Are you generally his attorney, or have you been only acting for him in this matter?—I have only acted for him in some Parliamentary business, and also in the defence of an action that was brought against him.

693. Did he communicate with you upon the subject of his becoming a candidate for the county of Carlow?—He did.

694. Were you aware of the terms upon which he was to become a candidate?—Only from what he told me.

695. Did he show you Mr. O'Connell's letter?—He did.

696. Did he at any time deposit 1,000*l.* in your hands?—He did.

697. Do you remember upon what day?—I have not the date, but it was in June.

698. Have you the check here?—I have the check I paid, but not the check I received.

699. He paid you 1,000*l.* by a check?—He did.

700. Did any body apply to you for that 1,000*l.*?—Mr. John O'Connell.

701. On what day?—The 10th of June.

702. Is that the letter that was brought to you from Mr. O'Connell?—It is.

703. Did you give any check to Mr. John O'Connell in consequence of that letter being presented to you?—I did; I gave him that check.

[*The Witness delivered in the same, being a check upon Wright & Co. for* 1,000*l. dated* 10*th June* 1835.]

704. Did you take from him the receipt or acknowledgment which is at the foot of that letter, [*a letter being shown to the Witness*]?—I did.

705. Subsequently to that, did Mr. Raphael ever deposit with you another 1,000*l.*?—He did.

706. Do you remember about what day?—It was in July, but I have not got the day.

707. Did you pay the second 1,000*l.* to any body, and whom?—I paid it to Mr. John O'Connell.

708. Have you the check here?—I have. [*The Witness delivered in the same, being a check upon Wright & Co. for* 1,000*l. dated* 28*th July* 1835.] He called on the 27th, and I did not pay it then, in consequence of a conversation that we had; he called on the following day.

709. What conversation was that?—I alluded to the conversation I had with him when he came for the first 1,000*l.* as to the period when the second 1,000*l.* was payable for.

710. Will you tell the Committee what the conversation was when you paid the first 1,000*l.*?—When he came for the first 1,000*l.*, I was desirous, at Mr. Raphael's request, of ascertaining what the interpretation of that statement in the guarantee, as to the petition, was; whether the second 1,000*l.* was to be payable until after the seat was positively safe, or till after the return; and therefore I asked Mr. John O'Connell, having first stated to him, "I suppose you know the purpose for which you come?" I said, "Of course the second 1,000*l.* is not to be payable until after the seat is safe;" his answer was simply, "I presume so." I then asked him what was meant by a nomination in Ireland, as the first 1,000*l.* was expected to be payable then in Ireland; I wished to understand whether it was as in this country, a county meeting at which the candidates were nominated; he stated, "No, what was considered nomination there, was a person being put forward as a candidate at a meeting of his friends;" he stated, that Mr. Raphael had been so nominated

Thomas Hamilton, Esq.

1 March 1836.

at a meeting of the electors in Carlow. With that explanation, I then gave him the check for the 1,000*l.* When he came on the 27th of July, I told him that Mr. Raphael's impression and mine was, from the construction of that guarantee, that the second 1,000*l.* was not payable until the seat was safe. He stated that he must speak to Mr. O'Connell.

711. And you did not pay him the 1,000*l.*?—I did not pay him the money on that day. He came again on the 28th, with a note from Mr. O'Connell, which in fact he had brought on the preceding day. I made some observations to him, but from the time that he came into the room till the time he went out, he never opened his lips; he moved his head in answer to my observations, and I gave him that check on the 28th of July.

712. Then, on the second occasion, when you gave him the 1,000*l.* he merely moved his head, and said nothing?—He said nothing.

713. That was the 28th July?—Yes.

714. At what time of the day was it?—About three o'clock, or between three and four in the afternoon.

715. Did you attend the Committee on the Carlow election from the time that it began to sit?—No.

716. Were you ever there until the beginning of August?—No.

717. When did you first go there?—It was either the 6th or the 7th of August, but I believe the 7th.

718. How came you to attend then?—In consequence of Mr. Raphael calling upon me after the meeting, which he said had taken place at the Westminster club on the 4th of August; he called, I believe, on the following day, to request, as he was left to defend the seats himself, and as he knew nothing of Mr. Baker, who was employed as the agent, he wished me, as his professional adviser, to undertake the defence of the scrutiny, which I declined. A meeting, I believe, was appointed for the following morning to see Mr. Baker upon the subject, and they met at my office; a good deal of conversation took place at that time, and I was again requested to undertake the defence of Mr. Raphael, which I again declined, as I would not undertake the responsibility at that period of the investigation, and Mr. Baker was requested to continue it. Mr. Raphael subsequently intreated me to attend the Committee; I told him that it was perfectly useless, that I knew nothing either of the merits or demerits of either party; he stated that he knew nothing of any person; that he had no confidence in those who were conducting the case, and that he would with pleasure pay my fee if I would merely watch and report to him what was done. He stated that unless I was there, or some person in whom he had confidence, that he thought his doctor's charge would be more than my charge against him.

719. You allude to his anxiety?—Yes; and in consequence of that I did attend.

720. How many days did you attend?—From the 7th to the conclusion.

721. Do you remember how many votes were struck off at once; were there any number of votes struck off?—One day there was, at the latter end of the scrutiny, 60 or 70, of what they called Mr. Vigors' tenants.

722. Then the matter became perfectly hopeless?—Perfectly; we attempted a defence after that.

723. For how many days?—For two days, or three days; but our own witnesses broke down.

724. Did you pay any money, or were you applied to to pay any money on behalf of Mr. Raphael?—Mr. Baker applied for money.

725. When?—I think soon after I first saw him; after our meeting he applied for money, probably the following day.

726. When?—Probably the 5th, 6th or 7th of August.

727. Had you learnt from him what he had received?—I do not know that I did at that time.

728. What did he apply for?—Five hundred pounds.

729. Did

729. Did you give him that?—I gave him 500 *l.* on the 8th of August.

730. Have you the cheque here to produce?—I have.

[*The Witness produced the same, being a cheque upon Wright & Co. for 500 l., dated 8th August,* 1835.]

731. Did he afterwards make any further application for money?—He did.

732. When?—During the progress of the scrutiny he repeatedly applied for some more money.

733. How many payments did you make to him?—The next sum I paid him was on the 15th of August, 500*l.*; I thought that I had the cheque with me; I did not pay him any more, but I paid some of the witnesses whom he refused to pay.

734. Did you ever learn from Mr. Baker what he received?—Yes.

735. How much?—Three hundred and fifty pounds.

736. Did he ever give credit for a larger sum?—I never got his account.

737. Have you received his account to this day?—No; I have repeatedly applied for it; I wrote to him repeatedly in consequence of what passed respecting some bills; the difference between 1,000*l.* and 350*l.*

738. You say you wrote to him?—Yes.

739. What in the whole did you pay to him?—One thousand pounds was what I paid Mr. Baker.

740. What else did you pay?—I paid Mr. Robinson 146*l.* 4*s.* 8*d.*; and I paid Mr. Stephens, the attorney, for two other witnesses, 86*l.* 6*s.*

741. What is the total amount?—Including the two sums to Mr. John O'Connell, the total that I have paid was 3,232 *l.* 10 *s.* 8*d.*

742. When did you first learn from Mr. Baker any thing about giving credit for the difference between the 350 *l.* and the 1,000 *l.*?—As I stated before, I repeatedly applied to him to know what sums in cash he intended to give credit for; I wanted to know whether the bills that I had heard so much about were taken by him as cash or not; and ultimately I got a letter which Mr. Raphael, I believe, has in his possession.

743. Have you got it?—[Mr. *Raphael.*]—I have got it.

[*Mr. Raphael produced the same.*]

744. Is that the letter?—That is the letter.

[*The letter dated the* 11*th of September* 1835, *was delivered in and read, as follows:*]

Dear Sir,—I very much regret the delay in sending in the account, but having several others more pressing to attend to, I hoped the delay of a few days would not be inconvenient to you or the Sheriff. I will send the account to your office in the course of a few days.

I intend to give credit for 2,000*l.*, charging thereout the payments to Witnesses, &c., the receipts for which I hold. You are aware that of this sum I had about 679*l.*, or thereabouts, in bills, which there can be no doubt are good, and will be duly met, including these and every other sum to be credited: the amount will be 2,000*l.*

Yours faithfully,

T. Hamilton, Esq. *Thomas Baker.*

745. You say you have not got any account from that day to this?—I have not.

746. Have you any means of knowing in what way the money has been actually expended?—He furnished an account of the expenses of witnesses, but not any thing like the 2,000 *l.*

747. What was the amount of the expenses of witnesses?——[Mr. Serjeant *Wilde.*] You had better produce the account?——If I have the account I will produce it. This, I believe, is it, 1,001*l.* That is it.

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748-9. Sir *F. Pollock.*]—When was it delivered?—It was during the scrutiny, I think, but I do not know, it was most likely when he was applying for further advances, because I refused to pay him further money.

750. *Chairman.*]—It was a rough statement?—Yes, it was to show that he was entitled to money.

[*The same was delivered in, and read, as follows:*]

CARLOW ELECTION PETITION.

Paid Witnesses as follows, 19th August 1835:

	£.	s.	d.
Seventeen Witnesses, at 30*l.*, as per agreement. Thomas Bunbury, Pat Clerory, Darby Donohoe, Thomas Donohue, J. Maher, Michael Byrne, Edward Nowlan, James Hughes, Robert Hanlow, Michael Hacket, Michael Dowling, Edward Fitzgerald, John Kehoe, Michael Roach, Ambrose Doran, Michael Kinsella, Rev. John Kehoe	510	–	–
Mr. George Robinson, Registering Barrister	120	15	–
Mr. P. M. Murphy, Barrister	49	15	–
Mr. Campion, Solicitor	44	–	–
Mr. John Edge, taxed 70*l.* 11*s.*, taxing 10*s.*	71	1	–
Mr. J. S. Rochfort	25	–	–
John Clowry	15	–	–
John Maurice	13	–	–
Henry Carey	22	9	–
Henry Timmins	15	–	–
John Donohoe	15	–	–
Paid expenses of Witnesses valuing in eight Baronies in Ireland, to sustain votes and support objections to votes Ditto - loss of time, cars and incidental expenses, per receipt of Mr. Fitzgerald	100	–	–
£.	1,001	–	–

That with respect to Mr. Robinson was only a calculation, because I paid him afterwards myself.

751. How much of this did you afterwards pay yourself?—What I put down here for Mr. Robinson, 120*l.* 15*s.* I afterwards paid 146*l.* I believe that is the only one that I paid.

752. During any part of this matter did you ever see Mr. O'Connell himself?—I saw him one day for about five minutes in the committee-room adjoining were the committee sat.

753. What day was that?—It was very near the close of the scrutiny.

754. Was it after you had begun to attend?—Yes, long after.

755. Did you not see him before that?—No.

756. Did you ever see Mr. Vigors?—Never till I attended.

757. You are aware of a statement that appeared in The Times newspaper?—Yes.

758. Did you see that before it went to The Times newspaper?—I did.

759. Did you assist Mr. Raphael in putting the narrative together, or in correcting it in any way?—I did.

760. Did any one else to your knowledge?—Not that I know of

761. Had Mr. Raphael at that time copies of his letters to Mr. O'Connell?—Yes.

762. Have you seen the publication in The Times newspaper, so as to be able to state whether the publication corresponded with the copies of the letters that you saw at that time?—No doubt about it.

763. Mr. O'Connell's own letters, then in his hand-writing you saw?—I saw them all; I copied them every one myself into the original draft statement.

764. And were the answers of Mr. Raphael also copied into the draft statement?—They were.

765. Will you refer to the printed statement, the latter part of the letter which says "In this I was confirmed by the receipt on the following morning of a letter from that gentleman, containing something in the shape of an offer or proposition so extraordinary and unexpected that I really knew not what to make of it, except indeed to prepare for, and reconcile me to, his then intended breach of engagement, and to induce me to believe that it was not only his desire to make some atonement for the consequences of such an act, but that it was in *his power* to compensate me in some other way for the loss of my seat, which

which was now reduced to a certainty, so far at least as depended on him for his pecuniary or other support. But as this letter was marked 'strictly confidential,' I am not now disposed to allude further to its contents, but am ready to publish it and my reply." Was that letter produced to you at that time?—It was; it was shown to me in strict confidence by him as his professional adviser.

766. There is a passage in the answer, "I only now quote the following extract from that reply, 'I rely, however, on your fulfilling your engagement with me to secure my seat if possible, by fighting the battle so long as a bad vote for the petitioners remains on the poll, or at all events to the end of the present Session. To allow 56 of our votes to be struck off, would leave fearful odds to contend with on a future vacancy' "—Was that part of the copy of the answer before you?—It was.

767. You mention your bills, what do your refer to?—Bills that were said to be given for the difference between the 1,000*l.* and the 350*l.* paid to Mr. Baker.

768. Who mentioned those bills?—Mr. Vigors.

769. When?—During the scrutiny. If you will allow me, I will state the conversation which led to their being mentioned: When Mr. Baker made an application for money, after Mr. Raphael had to undertake the scrutiny himself, he wished to ascertain what had become of the 1,000*l.*, or rather the difference between the 350*l.* which Mr. Baker said he had received, and the 1,000*l.* which he expected to be refunded. He wished me to apply to Mr. O'Connell upon the subject, which I declined, but I suggested to him that either Mr. Vigors or the priests were the proper persons to do so. In consequence of this, Mr. Raphael one afternoon, in the Lobby or place adjoining, after the Committee had broken up, took an opportunity of saying to Mr. Vigors, that the second 1,000*l.* must be accounted for; to which Mr. Vigors assented, and his observation was, "Mr. O'Connell must be spoken to;" and I do not know that any thing further passed then. A day or two afterwards the subject was again renewed to Mr. Vigors, to know whether this money had been forthcoming to Mr. Baker; his answer was, "Mr. O'Connell has been spoken to; it will be all arranged, and the money will be forthcoming." Mr. Baker did not get it, and Mr. Raphael and myself again took an opportunity of mentioning the subject, both to the priests and to Mr. Vigors. Mr. Vigors stated that Mr. O'Connell had drawn bills for the 650*l.*, and that they would be accounted for to Mr. Baker as cash, or that they would be accounted for; I do not think he said to Mr. Baker; I remember we stated we had nothing to do with bills; that we wanted cash, and that they would be accounted for. His observation was, they had been drawn upon the same person as some other bills for 800*l.* had been drawn, and as they had been discounted there would be no difficulty in turning those bills, or this bill, (whichever it was, I do not know whether it was in the singular or plural number,) into cash. I told him that that was a question with Mr. Baker; if Mr. Baker chose to accept those bills as cash, it was perfectly satisfactory to Mr. Raphael. He stated that Mr. O'Connell had added the discount and interest to the bills, and those are the bills which I was speaking of when I wished to ascertain from Mr. Baker whether he had accounted for them as cash or not.

770. When was the earliest date that you mention when this was spoken of?—It would be not, I should think, in the first application for 500*l.*, but before the second 500*l.* was advanced.

771. That was the 15th of August?—The 15th.

772. During all your intercourse with Mr. Vigors, or with any body else upon the subject, whom did you understand to be the principal in the transaction?—From Mr. Vigors's conversation, decidedly Mr. O'Connell; the principal conversation to which I allude, is that which I stated.

773. Mr. Serjeant *Wilde*.]—Will you state what passed with Mr. Vigors, and not give your impression?—I judged from his saying that Mr. O'Connell must be spoken to, and afterwards saying that Mr. O'Connell had been spoken to, and that Mr. O'Connell had drawn bills for the money.

Mercurii, 2 die Martii, 1836.

MEMBERS PRESENT.

Mr. N. W. Ridley Colborne.	Mr. Orde (Newcastle).
Lord Francis Egerton.	Sir Charles Broke Vere.
Mr. Bannerman	Mr. Warburton.
Mr. Barneby.	Sir Eardley Wilmot.
Sir Ronald Ferguson.	Mr. Henry G. Ward.
Sir John Yarde Buller.	
Sir Frederick Pollock.	Mr. Serjeant Wilde.

MR. NICHOLAS W. RIDLEY COLBORNE, IN THE CHAIR.

Thomas Hamilton, Esq., again called in; and further Examined.

Thomas Hamilton, Esq.

2 March 1836.

774. *Chairman.*]—DO you wish to correct an expression which you used yesterday?—I stated yesterday that Mr. Baker refused to pay two of the witnesses bills; I ought to have added, that it was because I objected to the amount of the charges; it was no refusal on his part.

775. Mr. Serjeant *Wilde*]—What is the earliest date of your communication with any person in regard to the Carlow election, except Mr. Raphael, that is, any of the gentlemen connected with Carlow?—I saw no person connected with Carlow till I attended the Committee, in my belief on the 7th of August; till then I knew nothing about it; or rather, two days before I believe I had seen Mr. Baker.

776. Had you had any communication with Mr. Baker, or with any of the gentlemen connected with Carlow, in the earlier part of the year, before the decision upon the petition respecting Mr. Bruen and Mr. Kavanagh?—I had a communication in the month of January, during the January election.

777. With whom?—I saw Mr. Charles Pearson.

778. Did you see any other person upon that subject?—No.

779. During the year 1834 had you any communication with any one upon the subject of Carlow?—No.

780. Had you not had any communication with Mr. Baker, or any other person, whilst the petition against Mr. Kavanagh and Mr. Bruen was pending?—Certainly not.

781. Respecting Mr. Raphael becoming a candidate for Carlow?—Certainly not.

782. Were you aware during the year 1834 that Mr. Raphael was in communication with any person upon the subject of Carlow?—No. If you will allow me I will state all I know of the proceedings. In December I first knew that Mr. Raphael was in some kind of communication about Carlow; it was in consequence of a letter written from Mr. Raphael, who was then at Pomfret, directed to me in Covent Garden; I was then with a friend of mine at Wells, and the letter was opened in my absence. On my return to town I called upon Mr. Raphael, at the Old Bailey; he referred me to Mr. Pearson, with whom I had a little conversation, and he produced a letter from Mr. O'Connell, stating, as far as I recollect, that it was too late for Mr. Raphael then to become a candidate.

783. Be so good as to state the whole of the contents of that letter?—It was not read to me; Mr. Pearson produced it, and I think he did not read it. I think he stated something to that effect, and I did hear what the sum was; but whether it was from Mr. Pearson or Mr. Raphael, I cannot tell; that is, what was stated to be the amount of the probable expenses.

784. Is that all you recollect to have been communicated to you by Mr. Pearson upon that occasion?—Yes; I do not recollect whether he read the passage from the letter, or merely stated that.

785. Do

785. Do you recollect the date at all?—I do not recollect whether it was December or January that I called there; it was on my return from Wells.

786. Have you any means of knowing whether, during your absence, there had been any communication with Mr. Vigors or with any other person on Mr. Raphael's behalf?—In consequence of that letter being opened, one of my partners saw Mr. Vigors.

787. That was in December 1834?—Either in December or January.

788. In the month of January or at any time before, were you aware that Mr. Pearson had been in communication with Mr. O'Connell upon the subject of Mr. Raphael representing Carlow?—No, I knew nothing of it till Mr. Raphael referred me to him at the Old Bailey.

789. What were you referred to Mr. Pearson for?—To hear what Mr. Pearson had told Mr. Raphael, for he wished me to hear it myself from Mr. Pearson; if I recollect right, Mr. Raphael told me that Mr. Pearson had not read the letter from Mr. O'Connell to him, and he thought probably he might to me.

790. What application did you make to Mr. Pearson in consequence of Mr. Raphael wishing you to hear what he (Mr. Raphael) had heard. Will you be so good as to state the terms?—I cannot particularly say; I introduced myself as Mr. Hamilton.

791. What was the information which you stated you desired to receive from him?—In all probability I told him that the Sheriff had referred me to him, to hear Mr. O'Connell's answer, or something of that kind; I cannot tell what led to the conversation with Mr. Pearson.

792. Did you make any minute of your conversation with Mr. Pearson?—It was very brief, as he was in attendance at the Old Bailey.

793. But as Mr. Raphael was desirous that Mr. Pearson should repeat to you what he had said to him (Mr. Raphael), did you call his attention to any statement he had made to Mr. Raphael?—I cannot recollect what I said to Mr. Pearson; of course I must have asked him something respecting the communication with Mr. O'Connell.

794. Will you state what you did ask him?—I really cannot tell what I did ask him.

795. What did Mr. Pearson tell you?—He produced a letter; he either read a passage or gave the substance of it; that in consequence of Mr. Raphael's indecision, it was too late for him to become a candidate.

796. But when you state that he read or stated something, will you endeavour to state what; whether he read or professed to be reading any portion of a letter from Mr. O'Connell?—It really made so little impression upon my mind at the moment, that if you ask me which he did, I should say that he did not read the letter, but held it in his hand, and stated that as the substance of what he told me; that is my impression at the moment.

797. Were you desired by Mr. Raphael to make this application to Mr. Pearson before or after he (Mr. Raphael) went to Pomfret?—It was after his return.

798. Was the election at Pomfret then determined?—No.

799. Have you any minutes of your communication with Mr. Pearson or with Mr. John O'Connell, or any other person, upon the subject of Carlow?—No; I am not in the habit of making memorandums of anything.

800. I take it for granted that you do not bear all the attendances for which you are to charge in your memory?—You would think it strange if you saw my book; but you will find no attendances in my book from the beginning to the end, with about half a dozen exceptions.

801. There is then no minute or memorandum made by you relating to your conversation with Mr. John O'Connell?—Certainly not.

802. I have collected from your statements to the Committee, that neither professionally nor under any other circumstances did you attend the last Election Committee until the 6th or 7th of August?—Certainly not; I do not know whether from curiosity I may have looked into the committee, but I have no recollection of it.

803. Not so as to be attending to the proceedings?—Certainly not.

804. Prior to attending on Mr. Raphael's behalf had you attended any consultations with the counsel?—Certainly not.

805. Did you learn from Mr. Baker what had been the course of proceeding in

Thomas Hamilton, Esq.

2 March 1836.

in the Committee prior to your attending?—Most likely in conversation; we had a good deal of conversation.

806. Do you recollect whether or not you had learned that the Committee had come to a resolution to open the registry, and to investigate the votes which had been registered?—I did in the course of the scrutiny certainly ascertain that.

807. In what state were the proceedings before the Committee when you first attended?—There was either one or two votes struck off, but I do not know which; two, I believe.

808. Were the Committee then engaged in the question as to the validity of the votes which had been registered; was that the course of the inquiry?—Yes.

809. And one vote had been struck off?—I think two.

810. Did you then assist, in concurrence with Mr. Baker, in the further prosecution of the resistance of the petition?—I attended; I can scarcely say that anything that I did deserved the name of assistance.

811. Did you confer and advise with him, or with counsel, upon the subject?—No, not till, I think, the last two days; I was in conversation with them.

812. Did Mr. Harrison or Mr. Hill continue their attendance after you were in attendance?—I think Mr. Harrison never was in attendance after I was; Mr. Hill was.

813. Can you state how long?—Several days, I think.

814. Have you the means, from any minutes or votes of the proceedings, to furnish the Committee with the number of days that Mr. Hill was in attendance?—No.

815. What other gentleman of the bar was in attendance?—Mr. Howley was in regular attendance, from the Irish bar.

816. To the close?—Yes; in consequence of Mr. Hill's non-attendance, Mr. Pollock was called in.

817. Did you learn from Mr. Harrison or Mr. Hill what opinion they entertained as to the probable result of the petition?—No.

818. From neither?—No.

819. Did you learn from Mr. Baker any opinion which was supposed to come from either of those gentlemen?—I do not think I did; not as the result of any communication from the counsel.

820. The opposition was then prosecuted up to the extent of 100 votes being struck off?—One hundred and five.

821. Can you state how many days before the conclusion of the proceedings that result had been obtained, of striking off 105 of Mr. Raphael's and Mr. Vigors' votes?—Between 50 and 70 of them were struck off the last day of the petitioners' case.

822. Those were struck off upon the question relating to the effect of certain leases that had been granted?—Their having not been six months in possession at the time of the registry.

823. Under those leases?—Yes; one point decided the whole of that class.

824. Had the other votes been struck off upon any general objection, or upon grounds applicable to each individual vote?—As far as I could judge, evidence was given on each side as to the value of the lands they held.

825. On grounds therefore applicable to each particular vote the votes were struck off?—Yes.

826. Have you got copies of your letters to Mr. Baker?—I have got all the copies that were kept; I wrote several notes of which no copies were kept; those are all the copies that I have appearing in our books; there is only one of them that is dated by the day of the month.

[*The Witness produced the same.*]

Mr. Serjeant *Wilde.*]—Some of those may be material to the inquiry; others do not appear to be.

[*The Letters were delivered in, and read.*]

Thursday, at 11 o'clock.

I have not had the witnesses' account, nor has the Sheriff received any statement how the 1,300 *l.* has been disbursed; this he requires before he makes any further payment. Let me have this, which cannot take ten minutes in preparing.

Dear

Dear Sir, Thursday, five o'clock. *Thomas Hamilton, Esq.*

It is quite clear the witnesses must be paid the amount certified by the taxing-officer, and if you had sent me the account I wrote for, I would have got some cash from the Sheriff, but without it I cannot ask him; you must, therefore, pay Robinson. I have had an application from Mr. Stevens about Carey's and Edge's charges, and shall probably arrange them with him. 2 March 1836.

[*A Letter, dated Thursday, was read as follows:*]

I will forward your statement of expenses to the Sheriff. I understood from Mr. Vigors, that if the scrutiny had lasted until Saturday next the witnesses would not require *more* than 30 *l.* each, but as it has ended four days sooner, some allowance ought to be made.

Mr. Serjeant *Wilde.*]—And then there are remarks upon different witnesses which are not material.

Mr. Vigors stated that Mr. Murphy had come over on his own business. If so, I see no reason why the Sheriff should pay him, particularly as it was represented by several of the party that if he did come it would be as a volunteer.

The Sheriff is, I believe, out of town, and as you are in receipt of 1,300 *l.* cash, and bills for 600 *l.* odd, and 100 *l.* have been remitted to Carlow towards the expenses of these witnesses, you cannot have any difficulty in getting rid of the witnesses. I think, however, you should not pay Mr. Edge or Mr. Murphy without further explanation, and I shall be glad to see you on the subject.

Of course Mr. Howley will not receive more than the agreed 200 *l.*

[*A Letter, dated 12th August, was read as follows:*]

Dear Sir,

I think you had better not send off for the two attorneys without having the sanction of the Sheriff; they cannot be wanted for ten days at soonest. If you have dispatched the summonses, write by post to tell them to wait for further orders. If they have not any memoranda in writing, I doubt whether it is worth being at the expense of having them here at all. And the Sheriff should be at once apprized of the difficulty with respect to the notice, for if the revising barrister cannot produce his book, and prove from that the objection, it appears to me you have no case whatever against the petitioners' voters.

[*A Letter, dated Tuesday, was read as follows:*]

Dear Sir,

I have received your statement, but cannot understand how Robinson's account, taxed at 120 *l.* 15 *s.*, can be increased to 146 *l.* 6 *s.* 8 *d.*; he cannot have any right to more than the former sum, and as he was not of the least use, I take it for granted you will not pay more than the law compels us to do.

Pray, however, explain how the difference arises.

[*A Letter, dated 24th August, was read as follows:*]

Dear Sir,

The Sheriff was with me yesterday, and I suggested to him the propriety of seeing Mr. Vigors, for the purpose of his interference with the witnesses, particularly Mr. Murphy; for on one of our discussions respecting the absence of that gentleman from the Committee, Mr. V. stated distinctly that Mr. Raphael had no right to complain, as Mr. M. was not here as a witness, but on his own business.

I wish you would send in your bill, and every charge respecting this business; it's rather hard on the Sheriff, who has paid 2,000 *l.* in cash towards the expenses of this petition, that he should be called on to advance any more cash in consequence of his former payments being converted into long-winded bills. If he will adopt my advice, the whole proceedings should be made public. I will send your note to his house, but know not where he is.

I think you should at once pay Mr. Carey the sum at which his charge has been taxed.

827. Mr. Serjeant *Wilde.*]—These, I understand you, are the only copies you have or notes of the substance of letters sent by you to Mr. Baker?—They are.

828. What was the day the Committee concluded?—I think it was the 19th of August.

Sir *F. Pollock.*]—It was the 19th.

829. Mr. Serjeant *Wilde.*]—You have produced all the answers that you have in your possession from Mr. Baker?—I have them here; those are all the notes that I can find from Mr. Baker.

[*The Witness produced the same. A Note, dated Friday and addressed to Mr. Hamilton, was read as follows:*]

Thomas Hamilton, Esq.

2 March 1836.

Dear Sir,

I send a list of the fees at The House; I hope to send you the account to-morrow, and will of course give credit for cash and bill received.

[*Another Letter from Mr. Baker to Mr. Hamilton, was read as follows:*]

Monday.

Mr. Carey's account was reduced, on taxation this morning, to 25 *l.* 15 *s.* I wait your directions respecting the payment of this account, and also Mr. Robinson, Edge, Murphy, who are clamorous for the money, and threaten J. Hamilton, to take proceedings unless paid. With the Sheriff's directions on this head, send his draft for the amount.

[*The next Letter, dated Saturday, was read as follows:*]

I wish to know to-day the Sheriff's decision respecting the witnesses Robinson, Murphy, Edge, Carey; the latter has sent me in a bill of 55 *l.*, which must be taxed, as he will not accept the sum stated in my account to you. As I stated before, I want the 500 *l.* to make the payments. I am informed that Mr. Sheriff Raphael approves of the 100 *l.* to valuers, &c. in Ireland, but I wish to have the authority from you.

830. Mr. Serjeant *Wilde.*]—These are not pinned up in the order in which they were received?—No, they are not.

831. The next in the order in which they are now arranged, is Tuesday.

[*The same was read as follows:*]

The witnesses are paid, except Robinson, Murphy, Edge and Carey; these you directed not to be paid till you had communicated with the Sheriff. I hope to send you on Saturday or Monday the petition account. Robinson's account was taxed to-day to 131 *l.* odd; Mr. Carey was also taxed a larger sum than I had stated in my account to you as the probable charge.

832. The next is, "I have marked + opposite the names of those witnesses who have been paid;" this, I presume, accompanied the account that is put in?—No, it was one to the same effect.

[*The next Letter was read as follows:*]

I have marked + opposite the names of those witnesses who have been paid. I attended the taxation of Mr. Robinson's claim, and relied on his agreement to take 120 *l.* 15 *s.*, but he said, that not being paid at the moment, he was not bound by it, and at all events he was entitled to the days he was detained. The 100 *l.* was not remitted by Mr. O'C.; I do not believe he remitted any sum to Carlow.

[*A Letter, dated Thursday, was read as follows:*]

I send you the account of witnesses' expenses; you will perceive that I will require the 500 *l.* to-day. I will wait till I hear from you that Sheriff Raphael approves of the account, before I pay the witnesses for whom no specific sum was agreed on.

[*A Letter, dated the 28th, was read as follows:*]

In the account sent you some days ago, I put down 120 *l.* 15 *s.* for Mr. Robinson, as the sum I thought he was *entitled* to; he, however, went before the examiners, had the claim taxed to 145 *l.*; as the certificate is for this sum, I think we are bound to pay it. The counsel's fees amount to about 600 *l.*, and, with the other expenses, have taken all the money advanced.

[*A Letter, dated the 27th, without the month, was read as follows:*]

I have received the enclosed from Mr. Robinson. I stopped paying the witnesses on receipt of your letter not to pay till I had directions from the Sheriff. At the time the claims unpaid were, Mr. Robinson, Edge, Murphy and Carey; of this I apprised you several days ago; and these claims remain unpaid. The witnesses' account you have already had, and the petition account I hope to send you on Saturday.

This is the account with the + against it.

833. The account enclosed consists of the names of several witnesses; the account is 1,029 *l.* 15 *s.* 8 *d.*; is this a copy of the account put in yesterday?—No, they do not exactly tally; that is an original account I received, and so was the other.

[*A Letter, dated 20th August, was read as follows:*]

I send

Thomas Hamilton, Esq.

2 March 1836.

I send you the account of the 100 *l.* spent in Ireland, which I understood you to consider moderate. Mr. Edge is a land-agent, and was a necessary witness to produce and prove leases, and thereby show the holdings and rent of the voters objected to; his bill was taxed by the officer. Mr. Murphy was written for expressly, and will expect the usual payment. You will say whether the bills are to be paid, that I may act accordingly; and do you point out such as you think should be reserved for consideration. I will require the 500 *l.* in cash, as I do not wish to have the bill given me into money till we finally arrange.

[*A Letter, dated the 25th of August, was read as follows*:]

I enclose a letter I received to-day from Mr. Vigors. Mr. Robinson has obtained an order to tax his costs; it is clear that he and the other witnesses must be paid, and the sooner they are got rid of the better, both in point of expense and character. The Sheriff has nothing to complain of; he agreed and undertook to pay the expense. Whatever cause of complaint he may suppose he has against Mr. O'Connell, should not be mixed up with the petition expenses; those, he must be aware from the estimate given him, must amount to at least 3,000 *l.*; so that there is nothing unreasonable in requesting an advance at present of 500 *l.*, particularly as he knows I got bills from Mr. Vigors, and not cash. I will very soon send you in the account, but I want directions about the payment of the witnesses referred to in my note of yesterday, and the cash advanced to do so.

834. Is that the whole of the correspondence between you and Mr. Baker?—Yes, as far as I can find.

835. Was the resistance to the petition ultimately abandoned after advising with counsel?—Yes, it was.

836. Who were the counsel?—Mr. David Pollock and Mr. Howley.

837. Then you had entered upon the case of the sitting Members, and were proceeding to impeach the votes of the petitioners?—We were.

838. Had you struck off any?—No.

839. Do you know what witnesses had been called?—Yes, the revising barrister had been called; and Mr. Murphy, who attended as counsel on the registration, and an attorney of the name of Campion.

840. Had you seen these gentlemen before they were called, or had you had any communication with them?—I had spoken to them when in attendance.

841. How early after you attended had you had any communication with those gentlemen?—After being several days, Mr. Robinson was spoken to, but not in reference to the evidence that he could give, but mere general conversation.

842. How early after you attended the petition, did you have any conversation with those gentlemen upon the subject of their evidence?—I do not know that I had any conversation with any of them till Mr. Murphy came over, which was probably the day before we began our case. I remember having a conversation with Mr. Murphy and Mr. Campion, who came about the same time.

843. How many days were you engaged in the case of the sitting Members?—I do not know whether it was two or three.

844. Mr. Murphy, you say, had come over recently before he was examined?—Yes.

845. Had the other gentlemen been here some time?—Mr. Robinson, the revising barrister, remained here all the time.

846. Had the other witnesses called on the behalf of the sitting Members?—I do not remember that any other witnesses were called on behalf of the sitting Members, for we broke down.

847. Do you know whether any person had communicated with these gentlemen to know the substance of the evidence that they could give?—Not that I am aware of.

848. Am I to understand that the opposition to the petition was continued without any one knowing what was the evidence in reserve to support that opposition?—My own impression was——

849. Tell me what was done?—It is impossible for me to say what was done with the witnesses when I was not present.

850. You did not speak to them upon the subject?—No.

851. Did you understand that anybody else had?—I do not know that anybody else had; I was told throughout that we had a very good case, and were quite sure of success.

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852. Did you as a professional man make any inquiry as to what the case was, and who had examined the witnesses?—I did.

853. Of whom?—Of Mr. Baker; and Father Tyrrell in particular, who seemed to be a very intelligent and active gentleman.

854. Have you any minutes of his statement to you?—No; I will state, if you please, what I did ask him.

855. If you have any minutes, I should be glad to see them?—No, I have none at all.

856. What is the latest date to which you referred as having been told that there was a prospect of success?—Up to the time that we entered upon our defence.

857. Who are the persons that you referred to as having given you that information?—Mr. Vigors, both the Priests, and Mr. Fitzgerald, who was attending here, stated that there were more bad votes on the part of the petitioners than of the sitting Members.

858. What did they say as to the evidence that those bad votes had been objected to at the registry?—It was a question on both sides as to value.

859. The question is whether you learned anything as to the means of proving what bad votes had been objected to at the time of the registry?—Yes, I did; when I found that that was a point that was insisted upon on the other side, I asked them what means they had of giving the same kind of evidence that had been given on the part of the petitioners.

860. When did you ask them?—When it was getting towards the period of our commencing the defence.

861. Whom did you ask?—Most likely Mr. Tyrrell or Mr. Vigors.

862. Can you state with certainty which it was?—It was a subject of conversation frequently.

863. Will you name the persons of whom you made the inquiry?—I certainly named it to Mr. Tyrrell, I am quite satisfied, and to Mr. Vigors; and it was in consequence of that conversation, I believe, that Mr. Murphy and Mr. Campion were sent for.

864. What answer did you get from Mr. Vigors?—I supposed that they were in possession of documents to prove that they were objected to at the registry.

865. Mr. Vigors said that, did he?—It is impossible for me to state the individual.

866. My desire is for you to name the individuals upon whom you charge having made this statement?—It is impossible that I can name any one particular individual at any one particular interview, for it was a matter that I frequently asked when I saw that there had been no pains taken to provide for the defence, and I wished to ascertain as far as I could without interfering with another person's business, as I had declined acting professionally.

867. If you received any such communication, I must know from whom?—I heard it from several; my belief is that I heard it from Mr. Vigors, from Mr. Tyrrell, and from Mr. Fitzgerald.

868. Will you undertake to say that Mr. Vigors said that he supposed that there were documents in existence to prove it?—I will not undertake to say that.

869. Whoever it was who said that, did you ask him the grounds of his supposition?—No.

870. Then this opposition was continued upon the statement of some persons that you cannot name to-day, that it was supposed that there was evidence to support it?—It was stated that the revising books were in Carlow, and that Mr. Campion, who acted as the agent, would produce them, and he was sent for to produce them.

871. Did you make any minutes or memoranda during the time of your attendance on Mr. Raphael?—No.

872. Were you furnished with the short-hand writer's notes from time to time?—No.

873. Were you in the course of communicating with Mr. Baker upon the subject from day to day, as the matter proceeded?—Undoubtedly, I was in conversation with him.

874. Do you mean in the committee-room, or had you conferences with him after the committee was broken up?—I never was in his office in my life.

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875. And you saw Mr. O'Connell but once, and that for a few minutes in the committee-room after your attendance?—Yes.

876. Was that in the committee-room?—In the adjoining committee-room.

877. Had you no communication with him?—No.

878. Was Mr. Vigors in attendance upon the committee after your attendance commenced?—He was.

879. Did you communicate with Mr. Vigors' particularly upon the subject, or merely in general conversation?—Only in general conversation.

880. In the committee-room?—Yes, and while we were outside probably waiting for a division; a great deal of conversation I should say.

881. Can you give me the date of your conversation with Mr. Pearson?—No, I cannot.

882. Did you collect from your communication with Mr. Pearson, that the letter was recently received, or had been received some time before?—I think it had been received during my absence.

883. You have mentioned having been in conversation with Mr. Fitzgerald and Mr. Tyrrell; did you learn that they were members of the committee called the Carlow Committee, or Carlow Independent Committee?—No; I understood that Mr. Fitzgerald was secretary of some club or other.

884. How early did you learn that Mr. Fitzgerald was secretary of some club or other?—I am sure I do not know.

885. Did you ever inquire what club it was?—It was called the Carlow Liberal Club, I believe.

886. Did you see Mr. Maher?—Yes.

887. Did you learn that he was a member of that Carlow Liberal Club?—No.

888. Or that Mr. Vigors was?—No.

889. When you commenced your attendance before the Committee, did you read the previous proceedings that had been had before the Committee?—No; I applied to Mr. Baker for a brief, and I believe he sent me one, but it was nothing but copies of the lists of voters objected to on each side; I never heard the evidence.

890. Then your answer is, No?—I had not read the evidence.

891. Was a copy furnished you?—I believe not; indeed, I am certain.

892. I presume there were consultations with the counsel from day to day upon the subject of the opposition?—I suppose so, but I did not attend any, nor was I apprised of any till the morning of the day that we abandoned the petition; I then attended a consultation for the first time.

893. On the morning that the proceedings closed?—I think it was that morning, or the day before.

894. What is the date of your earliest communication with Mr. Vigors?—I was there a day or two before I knew Mr. Vigors; as soon as I knew who he was, we got into conversation.

895. That was after your attendance on the Committee?—Yes.

896. You say you are not in the general habit of keeping copies of letters; does your partner, Mr. Few, do so?—He is very regular in that respect.

897. Has he any copies of such letters?—I do not think he has.

898. Have you looked to see?—No.

899. Sir *F. Pollock.*]—At your interview with Mr. Pearson, when a letter was produced, do you remember whether you saw the letter or not?—No, I do not; I certainly did not see the contents of it. Whether he had it in his hands or not I am not sure.

900. Was it stated to be a letter from Mr. O'Connell, or from Mr. Vigors?—From Mr. O'Connell.

901. Do you remember any more of the contents or the substance of the letter than what you have stated, that in consequence of the indecision of the Sheriff, it was too late?—That was the substance. I do not know whether he stated what would have been the expenses, or not.

902. Did that terminate all your interference with that negociation?—Entirely.

903. Did you attach sufficient importance to it to make any memorandum of it?—No, not at all.

904. How long was the interview?—I should think not five minutes.

905. Although

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905. Although you made no minutes of what passed upon the subject of the prospect of resisting the petition after you began to attend, have you a recollection of the information that you received as to what was the prospect of resisting the petition with success?—Clearly.

906. And up to the time when between 50 and 70 votes turned out to be bad, did you expect to resist the petition successfully?—I had very strong doubts about it myself, from what I saw of the course that the thing was taking, and the way in which the case was got up; but all the persons over here would not listen to my doubting of the success; they were too confident.

907. Did your doubts arise from the nature of the case that was stated to you, or from your expectation of the case not being properly got up?—I will state to you the principal reason, and a conversation that I had with one of the priests about it, Father Maher. The question on both sides was one of value; there was very conflicting testimony as to the value of land; our witnesses were to make the value larger to make our votes good. In fact, I asked Father Maher, Are you prepared, when we come to our case with another set of witnesses, to reduce the value of the farms occupied by the petitioners' voters, because, I said, it will not do to put the same witnesses into the box to prove high value on the one side and low value on the other: and he stated, that they had no other witnesses than those that had been examined; and from that I thought that there was not much chance of success.

908. Did you ever learn from Mr. Baker what was the prospect of success?—No; Mr. Baker was only an agent here, and seemed to rely on the information of those that came from Carlow. He was pretty much like myself.

909. Are you able to put the Committee in possession shortly of the point upon which the matter turned in which you failed?—I could state it in a few minutes.

910. Am I correct in this; when the petitioners began, was it not insisted on the part of the sitting Members, that distinct evidence should be given of the votes questioned having been also questioned on the registration?—It was so; when I first attended; the great struggle was to put them to the strictest proof of that point.

911. The petitioners were able to give that evidence?—They were.

912. Then when the sitting Members began their case, they were quite unable to meet the same objection when it was offered to them on the other side?—With the exception of very few votes, I believe they were entirely.

913. Generally?—Decidedly.

914. When the same rule came to be applied to themselves, which they had insisted upon as against the petitioners, they were unable to give the requisite evidence?—Certainly.

915. Until that appeared, could you tell in what way the petition might terminate?—Not at all; my own belief was, that upon the merits we should have failed, as I said before, from want of evidence.

916. Did you interfere in the management, although you attended the Committee from day to day, of the resistance of the petition?—I purposely avoided it.

917. Did you attend the consultations?—I attended none but the last one.

918. Did you instruct the counsel?—No.

919. But at last, when you found that a difference of 50 or 70 votes was occasioned by the decision of one point, was there then a consultation that you attended?—There was.

920. Who were present at that consultation?—It was at Mr. David Pollock's house; there was Mr. Howley, Mr. Baker, and myself.

921. Was that the first consultation that you had attended?—It was.

922. Was that in consequence of the decision which affected this large number of votes, which you say was between 50 and 70?—I think we had then begun our case, and failed upon the first vote that we attempted; and I found the dilemma that the Sheriff was in; and I thought it was my duty to attend that consultation, and I did.

923. Do you remember how long that was before you actually struck?—It was the Monday morning, but whether we gave up that day or the next, I cannot say.

924. That

924. That would be Monday, the 17th of August?—I think that was the morning; Mr. David Pollock came into it the first time on that day.

925. Who had attended up to that time?—Mr. Hill had attended occasionally.

926. But Mr. David Pollock, according to that, would not have attended more than two or three days?—No; I am not sure whether it was Monday we gave up, or Tuesday.

927. Was it subsequent?—It could not be subsequent; my impression is, that it was that morning.

928. Before you attended in that day the consultation, had you directly interfered in any way as the legal adviser of Mr. Raphael?—No, I was sitting by; probably I may have suggested a question to Mr. Howley occasionally, but not further at all.

929. Had you suggested the sending for any witnesses from Ireland, or interfered professionally?—I think Mr. Baker spoke to me about sending for Mr. Murphy and Mr. Campion, and I told him that he was the best judge of what his case was, which I did not know, and that he must exercise his own discretion.

930. Yesterday, you said that you did not consider your attendance upon the Committee as extremely important for Mr. Raphael?—Not the least; and I told him so, from the first to the last, that I was of no use to him.

931. Mr. Serjeant *Wilde*.]—You were in possession of the original correspondence; the original letters of Mr. O'Connell to Mr. Raphael?—I was at one time.

932. Did you ever part with the possession of those letters?—Never.

933. To whom did you show them?—To no person.

934. No person whatever?—No.

935. Or furnish any copies?—Certainly not.

936. Neither one nor the other?—No, until the letter was prepared or publication.

937. Then you did?—Of course a copy was given to Mr. Raphael.

938. To any other person?—No.

939. Did you then show them to any other person?—No.

940. Only to Mr. Raphael?—Yes.

941. And furnished copies to him?—Yes.

942. You have stated certain questions as to what passed in the Committee, and what was the discussion; that is upon information you have derived since, as you say you did not attend?—Previous to my attendance it must have been.

943. The question referred to a previous period as to evidence that was required?—That was required day by day, for our counsel were putting them to the strict proof every morning upon every vote.

944. Sir *F. Pollock*].—Before you attended had the case of the petitioners concluded, or was it still going on; do you know how that was?—They had only disposed of about two votes.

945. Therefore when you began to attend, were you able to discover what was the course of proceeding, so as to be able to form some judgment of what the thing would turn upon?—Yes.

946. You have been asked about copies of letters and the letters themselves; you say they have been in your possession?—They were at one time.

947. Did you ever part with them to anybody else except to Mr. Raphael?—Certainly not.

948. Was that particular letter of the 3d of August in your possession along with the rest?—Yes, it was. I am not certain whether it was, or whether I had taken a copy of it, I cannot be positive, because Mr. Raphael seemed to be very particular about that.

949. Mr. Raphael seemed to be so very particular about that, that you say you doubt?—I doubt whether that was left with me by Mr. Raphael.

950. What do you mean by Mr. Raphael seeming to be so very particular about it?—He wished to keep that in his own possession, and not entrust me with it.

951. Did he state why?—From the peculiar nature of it.

952. Did

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952. Did he produce that letter along with the rest, or only a copy of it?—If you will allow me I will state the circumstances under which I first saw that letter. Mr. Raphael called upon me on the 3d of August to state what had passed in the interview with Mr. O'Connell on the preceding day, and to consult with me as to the course that I should advise him to take. After stating what had passed on that occasion, and some other discussion, he stated that he had received a most extraordinary communication from Mr. O'Connell, but that it was of so confidential a nature that he was scarcely at liberty even to allude to it. I asked him was it connected with the proceedings before the Committee. He stated that it did not allude to them, but he supposed that it must arise out of them. I told him, in that case that I thought he was bound to let me see it, for I could not properly advise him till he showed it me, if it was in any way connected with those proceedings. He hesitated for a very long time; he repeatedly imposed upon me, what I thought was unnecessary, the strictest terms of secrecy, and ultimately he showed it to me. I had very great difficulty in inducing him to do so, but I told him I could not advise him, as to the course to be pursued, unless he had told me every thing he knew. [The Witness withdrew.

Mr. *Thomas Little*, was called in; and Examined, as follows.

Mr. *Thomas Little.*

953. Sir *F. Pollock.*]—YOU attend from Messrs. Wright & Co., the bankers?—Yes, I do.

954. Have you the ledger of the year 1835?—No, I have not.

955. Where is it?—Both the ledgers that contain Mr. O'Connell's account are in constant use every hour, and could not be spared.

956. Have you not received a summons to produce those books?—I have a copy of the account.

957. Did you transcribe that copy?—Yes.

958. When?—Three days ago.

Mr. Serjeant *Wilde.*]—We will take it for granted that is correct; either party can compare it with the book at the house, to see whether it is incorrect.

Sir *F. Pollock.*]—Will you allow me to see the copy that you brought with you?

Mr. Serjeant *Wilde.*]—It cannot be necessary to refer to Mr. O'Connell's banking account beyond those two items.

959. Sir *F. Pollock.*]—Will you state whether that cheque of 1,000*l.* [*a cheque being handed to the Witness*], dated the 10th of June 1835, found its way to Mr. O'Connell's account?—Yes; I can show that it found its way, by one of these books that I have.

[*The Witness produced a Book.*]

960. Is that the waste-book?—Yes.

[*The same was read as follows:*]

Daniel O'Connell one thousand pounds per cash, and one thousand pounds Few & Co.

That is, we debit Few & Co. for the payment to Mr. O'Connell.

961. At that time was Mr. O'Connell's account in cash or not?—

Mr. Serjeant *Wilde* objected to the question, as being an unnecessary question.

Sir *F. Pollock* contended that the question was a proper question under the terms of the reference to the Committee, to inquire into the circumstances in which the money was received and expended.

Mr. Serjeant *Wilde* contended that the question was not a proper question to put to the witness under the terms of the reference.

The Committee withdrew into an adjoining room.

After some time the Committee returned, and the Chairman stated that the Committee had decided that the question be not now put; but if at any future period a sufficient case is made out, the question should be put.

Mr *O'Connell* stated that he should direct Messrs. Wright to furnish the other side with a copy of the whole account.

962. Sir

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962. Sir *F. Pollock.*]—Have you the means of telling from the account which you have before you, in what manner that 1,000 *l.* was in the first instance applied?—

Mr. Serjeant *Wilde* stated, that if the question applied to particular items, he objected to the question.

Sir *F. Pollock* stated that he had put the question in the very terms of the reference to the Committee, and contended that the question was a proper question,

[*The question was put to the Witness.*]

We received it for Mr. O'Connell, and placed it to the credit of his account; but how it was disposed of I cannot tell. I cannot give any particular manner in which it was disposed of; I do not know the object for which it was paid away. Mr. O'Connell drew upon his account, but I do not know for what object.

963. Have you the means of stating to the Committee, from the copy of the book which you have brought with you, in what manner that 1,000 *l.* was applied?—I cannot exactly state; I have the drafts that Mr. O'Connell has drawn since that period, if they would be any reference as to how it was disposed of; but I do not know for what object they were paid.

964. *Chairman.*]—Was this 1,000 *l.* paid into Mr. O'Connell's general account, or into any separate account?—To his general account.

Sir *F. Pollock* stated, that if the whole account was to be produced, he would not press the question.

Mr. *O'Connell* stated, that a copy of the account should be furnished.

965. Sir *F. Pollock.*]—Look at that cheque, dated the 28th of July 1835,—[*a cheque being handed to the Witness*]—did you receive that cheque on account of Mr. O'Connell?—Yes, I believe we did.

966. You say you believe you did; have you any doubt about it?—Not any.

967. Did you give him credit for that in his private account?—Yes.

968. Is that an item in the copy of the account which you have produced to-day?—Yes, it is.

969. When does the copy of the account begin that you have to-day?—It begins with the month of June 1835.

970. What date in June?—The 3d, I believe.

971. And down to what time does it continue?—Till yesterday.

972. How long will it take you to make a copy of the account from the 1st of January 1835 to the end of the year?—About an hour and a half; I cannot tell how much there is of it.

973. When do you make your balances or rests in the account that you keep with your customers?—We never strike a balance unless they desire it.

974. Do not you strike a balance at the end of the year?—No.

975. Do you strike a balance at all?—Not unless it is desired.

976. Not if an account runs on for a great many years?—Not unless it is their desire that we should do so.

977. Do you not make any rest at all?—Not unless it got to any large amount.

978. Mr. Serjeant *Wilde.*]—You have brought some vouchers with you?—I have.

979. You have a voucher for a cheque of the 28th of July, for 300 *l.*, from Mr. Vigors; was that cheque paid in due course to your house?—Yes.

980. And passed to Mr. O'Connell's debit?—Yes.

[*The same was delivered in, being a cheque on Messrs. Wright & Co., for 300 l., to Mr. Vigors, dated 28th July 1835.*]

981. Have you any means by your books of knowing to whom that cheque was paid?—No.

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982. Is it your practice to ask those who present cheques their names?—No, certainly not.

983. Then all you know is, that it was presented in the ordinary way, and paid?—Yes.

984. Will you also look at that cheque for 250 *l.* dated the 3d of August?—Yes.

985. Was that paid in due course and put to Mr. O'Connell's debit?—Yes.

986. On what day was it paid?—The 8th of August.

[*The same was delivered in; being a cheque on Wright & Co. for* 250 *l. to Election Expenses, dated the 3d of August.*]

987. Sir *F. Pollock.*]—When was the first cheque, dated the 28th, paid?—The 29th.

988. Can you tell me whether the first payment made to Mr. Vigors: how does it appear; is Vigors' name in that account?—We enter it in our books.

989. Have you it in the copy of the books you have brought here?—Yes.

990. Have you Mr. Vigors' name before the 28th of July?—No.

991. Then that was the first money that appears to be paid to Mr. Vigors?—Yes.

992. And that was the day after the second 1,000 *l.* was paid?—Yes.

993. And the other sum of election expenses, 250 *l.*, you say was paid on the 8th?—On the 8th of August.

994. Have you any other entry of the name of Mr. Vigors in the account?—No.

995. Did you keep the ledger?—No.

996. Who did?—Joseph Beadle.

997. Who is he?—One of the clerks in our office.

998. Is he in the office now?—Yes.

999. Can he attend to-morrow?—Very inconveniently; because he has so much to attend to in the way of business.

1000. Mr. Serjeant *Wilde.*]—It will be as little inconvenient that he should attend to-morrow as any other day?—Yes.

[The Witness withdrew.

Sir *F. Pollock* stated that he had no other witness whom he wished to be called at present.

Mr. Serjeant *Wilde* suggested whether, if it appeared to the Committee that there were any witnesses whose evidence was material in this inquiry, it would not be better for the Committee now to call those witnesses.

Sir *F. Pollock* suggested that it would be better for Mr. Serjeant Wilde to examine the rest of the witnesses whose evidence he might conceive material.

The *Chairman* stated that the Committee did not wish to examine any witnesses, but would leave it in the hands of Mr. Serjeant Wilde.

Jovis, 3° die Martii, 1836.

MEMBERS PRESENT.

Mr. N. W. Ridley Colborne.
Lord Francis Egerton.
Mr. Bannerman.
Mr. Barneby.
Sir Ronald Ferguson.
Sir John Yarde Buller.
Sir Frederick Pollock.
Mr. Ord (Newcastle).
Sir Charles Broke Vere.
Mr. Warburton.
Sir Eardley Wilmot.
Mr. H. G. Ward.
Mr. Serjeant Wilde.

MR. NICHOLAS W. RIDLEY COLBORNE, IN THE CHAIR.

Thomas Hamilton, Esq., was again called in; and further Examined, as follows.

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1001. *Chairman.*]—HAVE you any explanation to give?—I was asked yesterday concerning attending a consultation, and I believe I stated that I attended only one; but on further recollection, I believe I attended two; one on the last day of the scrutiny, and the other the day preceding.

[The Witness withdrew.

Mr. *John Tyrrell*, was called in; and Examined, as follows:

Mr. *John Tyrrell.*

1002. Mr. Serjeant *Wilde.*]—I BELIEVE you reside in London?—Yes.

1003. Are you acquainted with Mr. Raphael?—Yes.

1004. How did your acquaintance commence; do you attend the same chapel?—Yes; it was there I think that it commenced first.

1005. Have you any connexions at Carlow, in Ireland?—Yes.

1006. A brother?—Yes.

1007. Who is a priest?—Yes; in the county of Carlow.

1008. You are a native of the county?—Of the Queen's County, the next to it.

1009. Had you any conversation with Mr. Raphael upon the subject of his becoming a candidate to represent the county of Carlow?—Frequently.

1010. Will you give me the earliest date when you had conversation on that subject with him?—In 1833.

1011. Did you, in consequence of any conversation with him on that subject, have any correspondence with any gentlemen at Carlow; your brother, or any other person?—I did; first with the Rev. Mr. Maher, and afterwards with the Rev. Mr. Maher and my brother again.

1012. Do you know whether there is any committee or club at Carlow?—Not at that time.

1013. Do you know when it was first formed?—Not exactly; I saw it in the paper, but I do not exactly recollect now.

1014. Was that correspondence by you with the gentlemen you have mentioned at the desire of Mr. Raphael?—That I do not recollect at present; I remember talking to Mr. Raphael on the subject of getting into Parliament; a friend of mine told me that Mr. Raphael was willing to spend 5,000 *l.* or 6,000 *l.* to get into Parliament, and I, understanding the thing, wrote to Carlow.

1015. Had you any conversation with Mr. Raphael himself before you wrote to Carlow?—I had.

1016. Will you be so good as to state the substance of the conversation you had with him?—I told him that I knew where there was a county where he would be certain to be returned by spending a considerable sum of money, and I finding Mr. Raphael very anxious to get into Parliament——

1017. State the substance of what he said?—He said he wished to get into Parliament, and should get into Parliament.

1018. What

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1018. What did he say upon the subject of Carlow?—He expressed a wish to get into Parliament; of course I could not make any specific arrangement at the time.

1019. Did you say anything upon the subject of writing to Carlow?—I fancy I did.

1020. Did you write to Carlow; and did you get answers?—Yes.

1021. After those answers, did you speak to Mr. Raphael upon the subject?—I showed him the first letter I had upon the subject.

1022. From whom was that?—From the Rev. Mr. Maher.

1023. Have you preserved the letter?—No.

1024. Is it in existence, or is it destroyed?—It is destroyed, I think.

1025. Will you be so good as to state the conversation between you and Mr. Raphael when you showed him that letter?—Mr. Raphael read the letter over two or three times, and said it was a very excellent letter, a very sensible and capital letter.

1026. What did he say about Carlow?—He said, of course, if he could be sure to get into Carlow, he did not mind spending any sum of money.

1027. Had you at that time any conversation with Mr. Raphael respecting Mr. Vigors?—Not at that time.

1028. Had you at any time afterwards?—Yes.

1029. About how soon?—In the early part of 1834.

1030. What was your conversation with Mr. Raphael regarding Mr. Vigors?—I told him Mr. Vigors was a man of great property in the county, and had vast influence in the county also; and Mr. Raphael said he wished to be introduced to Mr. Vigors.

1031. For what purpose; were you talking about the representation for Carlow when he said that he wished to be introduced to Mr. Vigors?—Yes.

1032. In consequence of that wish expressed by him, did you take any means to introduce Mr. Raphael to Mr. Vigors?—I did.

1033. What did you do?—Mr. Raphael and I appointed to meet at Mr. Vigors' house in Regent's-park, at 11 o'clock the next morning.

1034. Did you see Mr. Vigors at his house, or elsewhere?—At his house.

1035. Will you state the substance of the conversation that occurred between yourself and Mr. Vigors and Mr. Raphael upon the first interview?—Mr. Vigors told Mr. Raphael that he would have a great deal to contend with in going to Carlow; that the aristocracy were very powerful there, and unfortunately all of them opposed to the people; in fact, Mr. Vigors painted a picture so very black to Mr. Raphael that I did not think Mr. Raphael would have anything more to do with it.

1036. Just confine yourself at present to what was stated by any person in the course of that conversation. You have stated that Mr. Vigors said he would have many difficulties to encounter, but how did the conversation begin?—I introduced Mr. Raphael as the gentleman about whom I had spoken to Mr. Vigors previously.

1037. Had you then, before you introduced Mr. Raphael to Mr. Vigors, informed Mr. Vigors of Mr. Raphael's wish to come into Parliament?—Yes.

1038. And then you introduced him, stating this was the gentleman of whom you had spoken?—Yes.

1039. Was anything at that time said respecting the expenses?—Not any specific sum; the general expenses.

1040. Was anything said respecting Mr. Raphael's becoming a landed proprietor there?—There was.

1041. What was that?—Mr. Raphael said that he would purchase an estate, in the first instance, of 20,000*l.*, and he added the words, "in fact I do not care to what amount."

1042. Was anything said respecting any probable vacancy at that time in the representation of Carlow?—It was understood that Mr. Blakeney would not stand again for the county.

1043. What was the result of the interview; how did the parties separate after this conversation; what did Mr. Raphael say about the communication?—Mr. Raphael seemed very well satisfied, and said he was getting only two and a half per cent. in the funds, and that he would like to lay it out in assisting the poor Irish, as he was very fond of the Irish.

1044. This you say occurred in the early part of the year 1834?—Yes.

1045. Had

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1045. Had you from that time afterwards repeated conversations with Mr. Raphael upon the subject?—Repeatedly.

1046. Had you occasion to visit Ireland in 1834?—I had.

1047. At what period of the year?—About July.

1048. Was Mr. Raphael aware of your intention to visit Ireland?—He was.

1049. Had you any communication with him, before you went to Ireland, upon the subject of your talking over this matter with the gentlemen at Carlow?—Yes; he promised to go to Carlow with me.

1050. Did he at that time make any appointment, or suggest any periods at which he would go with you?—A good many.

1051. Was he ready, when the time arrived, to go?—No.

1052. Did you at last determine to go without him?—I did.

1053. When at Carlow, had you communications with any persons at that place upon the subject of Mr. Raphael becoming a candidate?—I had.

1054. With whom?—With various people.

1055. Did you see Mr. Maher?—I did.

1056. Your brother?—Yes.

1057. Was Mr. Vigors at Carlow during the time you were there?—Not at that time.

1058. Mr. Fitzgerald?—Yes.

1059. Was there at that time any committee or club at Carlow; a Liberal club or a Liberal committee?—I should think there was; I do not know from my own knowledge, from not living in Carlow.

1060. In your communications with Mr. Fitzgerald, did you learn that he held an official situation as secretary to such body?—I know that he was secretary to such body, but at what time it was established I do not know.

1061. Was he one of the persons with whom you communicated?—Yes.

1062. When did you return to England in that year?—About the latter end of August or the 1st of September.

1063. Upon your return to England, did you communicate to Mr. Raphael what had occurred between you and the gentlemen at Carlow?—Yes.

1064. What did you state?—I told him that the people of Carlow would be delighted to have him as their representative.

1065. Had you made any representations at Carlow respecting Mr. Raphael, and his situation in life and circumstances?—A great many.

1066. Will you be so good as to state the conversation that passed between you and Mr. Raphael upon your return, as to what had transpired at Carlow during your visit?—He seemed to coincide with everything that I said; he gave no definite answer whether he would go to Carlow, but seemed highly pleased with it.

1067. Had you any conversation with him at that time respecting any persecutions that were alleged to have taken place of the voters?—Yes.

1068. Be so good as to state generally what you informed him upon that subject?—I told him that the expenses of the election itself would not be more than 1,000 *l.*, or perhaps more than 600 *l.*, but that a considerably larger sum would be required of him to indemnify the voters, who would be likely to be turned out of their land for voting for him.

1069. Did you state anything to him respecting any subscription which had been made, or was in the course of being made?—I did.

1070. What did Mr. Raphael say upon the subject of those communications to you?—I told him that there was a Liberal club established in Carlow for the purpose of protecting the electors; that it would be well if he sent his subscription over, say 50 *l.*, or something like that. He said, "Very well, very well, I will think of it."

1071. Did your communications upon the subject of Carlow drop or continue from time to time?—Continue.

1072. Do you remember the circumstance of the dissolution of Parliament in the latter part of 1834?—I do.

1073. Had you any conversation with Mr. Raphael at that time respecting Carlow or Pomfret?—I had.

1074. Be so good as state what passed between you?—He was doubtful whether he should stand for Carlow or Pomfret, but he asked me, could he not stand for both; I said he could.

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1075. Did he mean to sit for both?—No; he said in the event of his being returned for both he would sit for Carlow.

1076. Had you any letter or letters from Ireland on the subject?—I had a good many.

1077. Had you a letter from Dr. Doyle?—No; from the Rev. Mr. Doyle.

1078. Is he a gentleman residing in Carlow?—He resides in the county of Kilkenny, on the borders of Carlow, and has great influence in the county.

1079. Did you show that letter to Mr. Raphael?—I did.

1080. At what period was it that you received that letter, and showed it to Mr. Raphael?—It was about November 1834.

1081. In consequence of any letter that you had received from Ireland, did you then have any conversation with Mr. Raphael upon the subject of his going over to Carlow?—Yes.

1082. What was it?—I told him there was a great necessity that he should go and show himself there, and he promised he would go.

1083. Had you any conversation then with Mr. Raphael in consequence of that letter, upon the subject of the expense that would attend his election?—I showed him the letter.

1084. State what you said to him; is the letter in existence?—No, it is not.

1085. Tell me the substance of what you said to him, after reading that letter, with respect to expenses?—A sum of 3,000 *l.* was mentioned in the letter which he read, and he did not seem to think it was at all too much.

1086. What did he say?—The day I showed him the letter Mr. Vigors and I went to him to discuss the matter, whether he could be returned in his absence for Carlow or not.

1087. Begin and state what passed at that interview, to the best of your memory?—We told him, provided there were sufficient funds, that we thought he could be returned in his absence.

1088. Had anything been said about his going over before anything had been said about his being able to be returned in his absence?—Yes; he had promised to go with me.

1089. But at that interview at which you and Mr. Vigors met, after the receipt of the letter from Mr. Doyle, did anything pass as to his going over, or his being put up in his absence?—Yes; Mr. Raphael said he was afraid he could not go over; that he could not get leave from the City.

1090. Where did that interview take place?—At Mr. Raphael's house.

1091. Was anything said at that time about Pomfret?—Yes.

1092. What was said?—He said he was going to stand for Pomfret.

1093. What further was said about his standing for Carlow and Pomfret?—At a subsequent interview he said he would stand for both, and if he was returned he would sit for Carlow.

1094. You tell me at that interview at which you and Mr. Vigors met, it was said that Mr. Raphael was going to stand for Pomfret; what was said about Carlow when he said that?—I do not recollect.

1095. Was the idea of his standing for Carlow given up at the interview?—No, no such thing.

1096. Was it said what was to be done either by Mr. Vigors or Mr. Raphael?—He seemed to coincide with our views completely, but that he could not make up his mind till he saw his law agent, Mr. Hamilton.

1097. Will you be so good as to mention what views were mentioned at that meeting with which he seemed to coincide?—His standing for Carlow, and the expenses about 3,000 *l.*; we left him with the understanding that he was quite determined for Carlow.

1098. Sir *R. Ferguson.*]—That is, Mr. Vigors and you left him?—Yes, and then we were to meet him the next day, to have a final arrangement upon the subject, at the Zoological Society's house, in Bruton-street, I think it is.

1099. Mr. Serjeant *Wilde.*]—The questions that have been put to you relate to a meeting which took place in the latter part of 1834?—Yes.

1100. Do I understand you that at the conclusion of the meeting, in the latter part of 1834, an arrangement was made to meet him next day at the house of the Society in Bruton-street?—Yes.

1101. Was Mr. O'Connell party to any of those communications?—I do not suppose that he ever heard of them; Mr. Vigors produced a letter from Mr. O'Connell.

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1102. Was that letter read?—It was.

1103. I mean read either to Mr. Raphael, or in his hearing?—Mr. Raphael read it himself.

1104. Was that a letter from Mr. O'Connell to Mr. Vigors, or to whom else?—To Mr. Vigors.

1105. Do you remember anything of the contents of the letter, as stated or read aloud in Mr. Raphael's hearing?—I do.

1106. State what you remember of it?—Mr. O'Connell requested Mr. Vigors to wait on Mr. Raphael, to ascertain whether he was willing to stand for Carlow, and from what he knew of the state of things, he said he had every prospect of success.

1107. Did any meeting take place on the following day, according to the appointment?—Mr. Vigors and I went, according to our appointment, to the Society's house in Bruton-street, and waited there, I think, for about an hour and a half; and when that period had elapsed, a messenger came from Mr. Raphael saying that he was obliged to go out of town suddenly.

1108. Had anything more passed respecting Mr. Raphael becoming candidate for Carlow than what you have stated?—Mr. Raphael seemed to be highly delighted with the prospect.

1109. Will you state what he said?—He said it was all very well.

1110. Was it said to what place Mr. Raphael was going out of town, whether to Pomfret or elsewhere?—I do not recollect.

1111. Was anything said at that meeting upon the subject of the Carlow committee or club?—Not at that meeting, but previously to it.

1112. What had been said respecting that committee or club previously to that meeting?—I told Mr. Raphael that there was a club in existence, and that it was a good way of ingratiating himself with the people of Carlow to send a subscription to it.

1113. Was that club or committee mentioned only once or oftener between you and Mr. Raphael?—I have no doubt on my mind that it was mentioned frequently.

1114. When next after this meeting at the latter end of December 1834, had you any communication with Mr. Raphael upon the subject of Carlow?—After Mr. Vigors and I came out of the house, we gave up Mr. Raphael in toto.

1115. When had you any further communication with him?—Not for some time.

1116. About what time, about what month in the following year had you any communication with him?—I think about April or May.

1117. What was the subject of the communication between you and Mr. Raphael when it was revived in April or May?—The subject of Carlow was revived again, and I scarcely could tell him anything that I had not told him before.

1118. Were you present at all when Mr. Vigors was informed of the determination of the Committee upon the petition against the two sitting Members, Mr. Bruen and Mr. Kavenagh?—No, I was not.

1119. Did you at any time show Mr. Raphael a newspaper?—No; Mr. Raphael showed me a newspaper.

1120. What newspaper was it?—It was the Leinster Independent.

1121. Is that a copy of it; did it contain an account of the meeting and proceedings of the Carlow committee?—It did.

1122. Is that the account that he showed you?—[*The Witness examined the same, dated Saturday, June the 13th, 1835.*]—It is.

1123. What passed between you on the subject of that account that he showed to you?—Mr. Raphael was in great spirits at his name being so favourably received in Carlow.

1124. When first had you any conversation with Mr. O'Connell upon the subject of Mr. Raphael and the Carlow election?—A few days before the election of Carlow.

1125. Be so good as to state the substance of the conversation between you and Mr. O'Connell at the time?—I told Mr. O'Connell not to have anything to do with Mr. Raphael, unless he had the money down in his hand before.

1126. What answer did you get to that communication?—Mr. O'Connell said tht

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that he would take care of it, or that that was his business, or something of that kind.

1127. Mr. *G. H. Ward.*]—At the January election was that?—Yes.

[*Extracts of Paper were delivered in, and read, as follows, dated the 7th of June:*]

My dear Vigors,

I am happy to inform you that the address of Mr. Raphael to the electors of the county of Carlow will appear in the Pilot of Wednesday. He has authorized me to purchase an estate for him in that county. Get all your friends to be on the alert to procure a desirable investment of that description. Mr. Raphael's principles are all we can desire. He is a firm and consistent Reformer; determined peaceably and quietly to work out the great principles of the Reform Bill, for the security of the Throne and the liberty of the people. His opinions on the corporation reform and tithe system are those which you and I cherish. He will go as far to promote the former and extinguish the latter, not in name merely, but in substance and reality, as any of his constituents can desire. It will be to you, who are a liberal Protestant, no disparagement to Mr. Raphael that he is a strict and conscientious Catholic. You know that he is (as you are) a sincere friend to religious as well as civil freedom. He marks strongly the contrast between English Protestant liberality and Irish Orange bigotry. The Protestant corporation of London, by an unanimous vote, elected him High Sheriff of London and Middlesex. The vile Orange bigots of the base corporation of Dublin have not admitted a single Catholic to his freedom, although they had forty years to do so. I can and do recommend my excellent friend Mr. Raphael to the electors of the county of Carlow. I earnestly press upon them to select him in preference to the minions of the tyrant Orange faction, whoever those minions may be. I pledge myself that Mr. Raphael deserves and will justify the choice of the brave and honest men of the county of Carlow.

(signed) *D. O'Connell.*

Mr. Serjeant *Wilde.*]—Then there is in the paper an article entitled "County of Carlow Election."

[*The same was read, as follows:*]

At a numerous and highly respectable meeting of the independent electors of the county of Carlow, held at the Independent Club-rooms, Brown-street, on Wednesday, the 3d June 1835, Walter Blakeney, Esq., J. P., in the chair; moved by Rev. T. Tyrrell, P. P., and seconded by John O'Brien, Esq., of Lara,—That a life of public virtue, a steady and enlightened adherence to principle, and the deepest devotion to the cause of popular rights at once point out N. A. Vigors, Esq., as the fittest person to guard our rights and protect our liberties in the councils of the nation: Resolved, therefore, that he be respectfully solicited to suffer himself to be put in nomination for the representation of this county in Parliament, and that we pledge ourselves to give him all that support which men resolved to be free and to secure to themselves the full and legitimate effects of the glorious measure of reform can bestow.

Moved by Patrick Moran, Esq., and seconded by Thomas Donohoe, Esq.,—Resolved, That Alexander Raphael, Esq., High-sheriff of London, from the liberal principles which he had uniformly exhibited in public life, and his well-known attachment to the liberties and interests of Ireland, is justly entitled to the confidence of this county; and we pledge ourselves to support him as a fit colleague with Mr. Vigors at the ensuing election.

1128. Mr. Serjeant *Wilde.*]—Then there is a similar resolution regarding Mr. ——— and a vote of thanks, and it does not appear to me that there is anything more that is relevant to the present subject.—[*To the Witness.*] Did Mr. Raphael say that to you?—Yes.

1129. Can you tell me how soon after the date of publication?—In about three days.

1130. You have referred to several letters; I have not asked you the contents; have you preserved any of those; are they in existence, or are they destroyed?—I thought I had some of them by me, and I made a diligent search last night and the night before, but I could not find them.

1131. Sir *F. Pollock.*]—I think you say this newspaper was shown to you by Mr. Raphael; or did you show it to him?—He showed it to me.

1132. Did you read the address, or rather the letter of Mr. O'Connell published in the address of Mr. Vigors?—Not at that time.

1133. How much had you read?—I used to borrow the Leinster Independent from a friend of mine, and read it every week.

1134. How much did you read?—I read none at that time; Mr. Raphael read only that resolution, showing how favourably he was received in Carlow.

1135. "At a numerous and highly respectable meeting, Walter Blakeney, Esq. in the chair;" is that it?—Yes.

1136. Did you read the whole of that, or did Mr. Raphael merely tell you, here

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here is a paper which I am delighted to see?—He did not read the whole of it; he merely said, in great joy, that he was proposed in Carlow, and very well received.

1137. Is this what you would call the nomination?—No, I would not.

1138. What do you call the nomination?—I call the nomination at the hustings.

1139. Do you know when that took place?—I cannot say the date; I was not in Ireland at the time.

1140. This took place on the 3d of June, according to this paper, and the paper itself is published on the 13th of June; how long after the 13th of June did Mr. Raphael show you this paper?—I was almost daily with Mr. Raphael at the time; I could not say the exact day.

1141. Did you learn from him, that on the 10th of June he had paid 1,000*l.* to Mr. O'Connell for something or other, nomination or something else?—He never mentioned it.

1142. And you never heard of it?—No, only what I heard from public report.

1143. Did you hear that from public report?—I heard that he had paid 2,000*l.* or 3,000*l.* at the time of the Carlow election.

1144. Do you mean to say, that you heard from public report, about the time that this paper was shown to you, that Mr. Raphael had paid 2,000*l.* or 3,000*l.* to Mr. O'Connell?—No; at the time of the election.

1145. When?—Two or three days before the election.

1146. When did the election commence?—On the Monday, I think.

1147. In what month?—June.

1148. Do you remember what time in June?—I was not at all in Ireland.

1149. Still you may remember what time in June?—I cannot say the exact date.

1150. Did you hear at that time that Mr. Raphael had paid Mr. O'Connell 2,000*l.* or 3,000*l.*?—I had heard that he had paid two, and some said three.

1151. To Mr. O'Connell?—Yes.

1152. From whom did you hear that?—I really cannot say; Mr. Raphael's brother asked me, did I hear how much money the Sheriff gave himself; I said I did not.

1153. Was it notorious at that time that Mr. Raphael was giving a sum of money to come into Carlow?—I should think it was.

1154. And that he was giving it to Mr. O'Connell?—Yes.

1155. You say that a question was put to you by Mr. Raphael's brother, whether you had heard how much it was; will you name any person from whom you heard this; you spoke of public report?—I cannot take upon myself to say from whom, but Mr. Raphael did not consult me at all as to the sum he was to advance.

1156. The sum he was going to advance had no connexion with the sum of which you had spoken?—No specific sum was named, but he always said he was going to expend a good deal of money; he said no money would stop him getting into Parliament.

1157. You say that you had no communication with Mr. Raphael upon this last bargain about getting in for Carlow?—No.

1158. Then, as you had no communication with Mr. Raphael, I ask you, had this last bargain anything to do with your bargain?—I had no bargain with him.

1159. With your conversation with him?—Of course it had; he stood for Carlow, and advanced a sum of money for the expenses.

1160. But this last bargain you know nothing about, except from common report?—I knew nothing about the money bargain except from public report.

1161. Do you know anything about it except from public report?—No, not a word.

1162. Did you learn anything from Mr. Raphael about it?—No.

1163. Then you will not have the least difficulty in stating from whom you learned that Mr. Raphael was going to advance 2,000*l.* or 3,000*l.*?—It would be quite impossible for me to do it, because Mr. Raphael never consulted me.

1164. Why does Mr. Raphael's not consulting you prevent you from saying from whom it was you heard that he was to give 2,000*l.* or 3,000*l.* for coming in for Carlow?—There were different sums named; persons said to me,

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I am told that Mr. Raphael has given so much money to Mr. O'Connell for the expenses.

1165. Can you name any person from whom you heard that report which you have said was public?—No, I cannot indeed name any particular person; I had nothing to do with the money transaction; I did not know whether he gave a farthing or 50,000 *l.*

1166. Did you hear it from many persons?—Yes.

1167. From about how many?—Five or six, I should think, who knew of the intercourse between me and Mr. Raphael.

1168. And yet you cannot name one?—No, I cannot name an individual; because so many people knew that I was in correspondence with Mr. Raphael about Carlow, who might have asked me or mentioned that they had heard that he was going for Carlow, and given a certain sum of money to Mr. O'Connell.

1169. Am I to understand that you heard it from so many persons?—I think from five or six.

1170. And you cannot name one?—No, I cannot, indeed, I assure you, because it was a thing that did not interest me at the time.

1171. Did it not interest you to find that Mr. Raphael was making some bargain with Mr. O'Connell, and leaving you out of the arrangement?—I felt hurt with Mr. Raphael for standing for Carlow without telling me of it.

1172. Then I should think it would make the more impression upon your recollection?—No, not the least.

1173. You are unable to name any person?—The fact was this, Mr. Raphael broke his word so often with me that I would have nothing to do with him.

1174. Were you angry with Mr. Raphael?—I had no cause to be angry with him; I thought that he might have told me that he was standing for Carlow.

1175. And yet you cannot name a single person that named the fact, that he was to give Mr. O'Connell 2,000 *l.* or 3,000 *l.*?—I only heard it from general report.

1176. Are you quite sure that you did hear it from general report?—I heard it as a talk.

1177. From five or six people?—I should think so.

1178. Perhaps a dozen?—No, I should think not.

1179. Not more than five or six?—I think about that number.

1180. And yet you do not recollect a single individual?—No.

1181. Do you recollect where you heard it?—No, I cannot recollect.

1182. Was it in the street or in the house?—It was a question on which I never expected to be asked again, and consequently it did not make much impression upon me.

1183. And you have quite forgotten it?—Not forgotten it. I did not know of the money transaction. If I was going to God this moment, I do not know the individual.

1184. Tell me as nearly as you can the earliest day when you had any conversation with Mr. Raphael about representing Carlow?—It was in 1833, I think.

1185. Which out of the 12 months?—That I could not say.

1186. Do you mean to say that you are unable to tell the Committee whether it was January, February or March, or towards the end of the year?—Quite unable.

1187. Where did it take place; can you recollect the place?—Mr. Raphael and I were in the habit of saluting previous to this; and I believe I was the first that asked him as to his wish to get into Parliament.

1188. Am I then to understand that the conversation originally began with you, and not with Mr. Raphael?—I think, as far as I can charge my memory, it commenced with me first; I would not be precisely sure of it, but I think I did.

1189. Have you any doubt about it?—It is so long ago, that I would not swear that it did not commence with him first; but the impression upon my mind is, that it commenced with me first.

1190. Did you before that have any conversation with Mr. Raphael at all upon any subject?—Not before that.

1191. Then is the Committee to understand that at the first interview with Mr. Raphael you had a conversation with him about his representing Carlow; is that so; at the very first time that you spoke to him you had a conversation about the Carlow election?—I mentioned before that I met him at chapel, we saluted:

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a friend of mine told me that Mr. Raphael had offered to spend 6,000*l.* or 7,000*l.* to get into Parliament. Hearing this from my friend, and knowing the persecution that was raging in Carlow, I thought it would be a great blessing to the people of Carlow if I could link a man who was so wealthy and offered to do so much as Mr. Raphael.

1192. Was that your motive for seeking an opportunity of talking to Mr. Raphael about it?—The only one.

1193. Just hear the last two questions and answers read?—

[*The last two questions and answers were read.*]

—At my first interview I did not mention the name of Carlow to him, and I did not mention the name of the county; I told him I knew a county where there would be a vacancy very shortly.

1194. Though you did not name the county to him, did you name some county without mentioning the name, and did you mean Carlow?—I mentioned no county in particular to him, but I meant Carlow.

1195. You mentioned some place which he was to represent?—Yes; I did not give him the name of it.

1196. But you said a county?—Yes, a county.

1197. Without mentioning its name?—Yes.

1198. As you sought out Mr. Raphael on account of the offer that you heard he had made, do you mean now to say that you do not know who began the conversation?—The impression on my mind is that I began it.

1199. Have you have any doubt about it?—I do not know that; the impression on my mind is that I commenced the conversation with Mr. Raphael.

1200. Have you any doubt about it?—Yes, I have a doubt about it, because I would not take my oath now of it.

1201. You have a doubt about it?—Yes.

1202. You think it may be that Mr. Raphael began the conversation with you about representing some county?—It is possible; but I think that it is likely that I began it, because I understood that he wished to get into Parliament.

1203. How soon after the conversation had you the next interview with him?—Not, I believe, for a few months: I was concerned in the Westminster election in December 1833.

1204. Does that enable you to fix the date?—Yes; in December 1833, Mr. Raphael came there.

1205. Are you able by that to fix about the time when you had the second interview with Mr. Raphael?—I should think I had the second interview very shortly after I had the first, because I wrote to Carlow on the subject.

1206. To whom did you write?—The Rev. Mr. Maher.

1207. Who else?—Then I answered Mr. Maher's letter, and sent one to my brother also.

1208. You stated before, in answer to my learned friend, that you did not recollect whether the correspondence was at Mr. Raphael's desire?—I think it was I who began the subject first, so far as I can charge my memory.

1209. Do not you know that you wrote to Carlow without Mr. Raphael making any request to you to do so at all?—I do not think that Mr. Raphael made any request of me to do so at the time certainly.

1210. Was not your writing to Carlow altogether your own act?—I should think it was.

1211. Have you any doubt about it?—I do not know; Mr. Raphael might have told me to consult some friend, but I cannot remember.

1212. I am not asking the might and perhaps; do you recollect?—I do not; Mr. Raphael expressed a great willingness to get into Parliament.

1213. Did you write to the persons in Carlow whom you have named in any way at the desire of Mr. Raphael?—I could not say.

1214. You say that you told Mr. Raphael that there was a county where he would be certain to get in if he spent a considerable sum of money; did you name the sum or the price of the county of Carlow?—I did not; I told Mr. Raphael, in the first interview that I had with him, that if he had all the money in London, unless he were of liberal politics, he would not get in.

1215. Then when you told him he would be certain of getting in if he spent considerable money, you added, provided he were of liberal principles?—Provided he went with the people.

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1216. Did you explain in what manner he was to spend the money?—Not at that time.

1217. At any time?—I did; I told him the probable expense of the election would be about 1,000 *l.*, and that a sum beyond that was to go to a reserved fund for protecting the freeholders who were likely to be turned out of their land for voting for him.

1218. Were you sufficiently acquainted with the expenses of a Carlow election to be able to judge of the amount of the Carlow legal expenses?—I heard that one election for Carlow previous had only cost 600 *l.*

1219. When did you introduce Mr. Raphael to Mr. Vigors, or Mr. Vigors to Mr. Raphael?—In 1834.

1220. At what time?—I should think about April or May.

1221. And you said at Mr. Vigors' house?—Yes.

1222. At what time of the day was it?—Eleven o'clock, I think.

1223. You say no specific sum was mentioned?—No.

1224. What was stated about the probable expense?—There was no sum mentioned at all at the time; I understood always from Mr. Raphael that money was no object with him.

1225. Was no allusion to any sum or expense mentioned in any way?—No, not to any sum.

1226. At how many interviews between Mr. Vigors and Mr. Raphael have you been present?—Three or four; three at all events.

1227. The first you say was on this occasion, in April or May, when you introduced them to each other?—Yes.

1228. When was the next meeting?—The next meeting was not till November, I think about November following.

1229. And the third?—The third in November, just about the same time also.

1230. Do you remember any other meeting between Mr. Raphael and Mr. Vigors, at which you were present?—No.

1231. Did Mr. Raphael mention the funds in which he only got two-and-a-half per cent. for his money?—No, he did not.

1232. You say, in July 1834, you went to Ireland?—Yes.

1233. Was it upon your own private business, or in any way connected with the Carlow election?—On my own private business; I go every year.

1234. How long did you stay there?—I should think I was back a couple of days under five weeks.

1235. Do you remember the day of the month in July?—No, I do not.

1236. You returned then on the 1st of September?—No, in August or September.

1237. During that time, did you write to Mr. Raphael at all about the county of Carlow?—I do not recollect, indeed.

1238. Have you any belief that you did?—I do not think that I did.

1239. Are you not sure that you did not?—I believe I wrote a few times to Mr. Raphael, and I cannot say whether I wrote from Ireland to him; but my impression is that I did not write from Ireland to him.

1240. Did Mr. Raphael ever write to you in Ireland while you were absent?—No.

1241. Then is the Committee to understand that Mr. Raphael had promised to go with you repeatedly?—Yes.

1242. How often?—I should think five or six times.

1243. What was the object of his going with you?—To be introduced to the electors of Carlow, I apprehend.

1244. Did you take upon yourself to represent that you could introduce him to the electors of Carlow in connexion with his becoming a candidate?—No, I was to introduce him to Mr. Vigors.

1245. Was Mr. Vigors to go with you?—No.

1246. Then how could he be introduced to the electors?—Mr. Raphael's name was known there before I went, and I could introduce him myself; but I introduced him to Mr. Vigors for his sanction, as being a man of great influence in the county.

1247. And how came it at last that he did not go with you?—That I cannot say.

1248. But, in point of fact, did you write to him from Carlow, or did he write to

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to you while you were there?—I do not think a letter passed between us, as far as I recollect.

1249. Do you remember the day that you returned?—No, I do not.

1250. Do you remember how soon after your return it was that you saw Mr. Raphael?—Not for some time.

1251. How long do you think?—I should think for a month at least, more than that.

1252. Was it as much as six weeks?—I should think it might be about six weeks.

1253. Did you see him till November?—Between September and December I saw him; I know that the day I arrived from Ireland in London I went to Margate the same day, and I think I stayed there for five or six weeks after.

1254. Did you see Mr. Raphael again upon the subject of the Carlow election and his becoming a candidate, until after there was a prospect of dissolution?—I believe not.

1255. Was not the first communication with Mr. Raphael in November, after your visit to Ireland, in reference to the expected dissolution?—It was.

1256. Did you, upon your return from Ireland, make any communication to Mr. Raphael, as to the sentiments of the people of Carlow, which you had collected during your visit there?—Not till I came up from Margate, I think.

1257. And then only upon the expected dissolution?—The thing was in negociation before, even without the dissolution; but I dare say that induced me to go to him.

1258. Where was it that you saw Mr. Raphael when you had the conversation about the expenses which you said would not be more than 1,000*l.*, or perhaps more than 600*l.*?—I had conversations to that effect with him I think at his own house, and I believe at the Old Bailey too.

1259. Was that in the month of November, or before?—About November.

1260. What do you mean by about November?—It might be the latter end of October or beginning of November, I would not say.

1261. You told him that there was a Liberal club established, and that it would be well to send 50*l.*?—Yes.

1262. How often did you make that representation to him?—I cannot say; but he understood very well that there was such a thing in existence.

1263. How often did you make that representation to him about making any subscription to any Liberal club?—I cannot say indeed.

1264. Did you say so more than once?—There was scarcely a subject connected with the county of Carlow which I did not from time to time mention to him.

1265. Will you undertake to say that you asked him to subscribe to that fund more than once?—I will not undertake to say that I did; but I recollect telling him such a thing, and that it would be an extremely good way of ingratiating himself with the people.

1266. How early did you learn from him that he had another place in view?—I always understood that he stood for Evesham before, and was rejected; but in November, I think it was, that he was going to Pomfret; he told me that he had been invited to stand for Pomfret about that time.

1267. Did he not make that communication the very first time that you saw him after the expected dissolution?—He might.

1268. Did he not?—I do not know.

1269. Does your recollection enable you to say one way or the other?—It does not; but I know at all times he never gave up Carlow.

1270. Did he not give up Carlow when Carlow gave up him, when he was too late for it?—At that time he never gave up the idea of standing for Carlow.

1271. Did he stand for Carlow at that general election?—No.

1272. What do you mean by, he never gave up Carlow?—He always had an idea of going for Carlow; he told me that if he was returned for Carlow he would sit for Carlow.

1273. Did he stand for Carlow?—Not at that time.

1274. Then do you mean to say that he never gave up Carlow?—I do not think that he did, until he left town for Pomfret at all events.

1275. Do you know when he left town for Pomfret?—No, I do not.

1276. Do you know, when he failed to keep that appointment with you and

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Mr. Vigors, whether he was then gone to Pomfret?—I do not think the gentleman who came mentioned where he was gone.

1277. Have you any reason to know, from what has passed since, that he went then to Pomfret?—Not that he went then, nor do I know that he went, except from public report.

1278. Then is the Committee to understand that your negociation with him continued or was put an end to?—It continued.

1279. Down to what time?—Previous to his being returned for Carlow.

1280. To what time did it continue?—Down to his being returned for Carlow, in June.

1281. Is the Committee to understand that that negociation continued, although at the general election he was not a candidate for Carlow?—He was not a candidate exactly, but he expressed a wish to be returned for Carlow.

1282. Was he a candidate at all?—Not at that time.

1283. Do not you know, in consequence of Mr O'Connell in a letter stating that his indecision had made him too late, that he was obliged to give it up?—No, I never heard anything of that.

1284. When was it that you went to Mr. Vigors to discuss with him whether he could be returned in his absence?—In November, I think it was.

1285. And you told him that he might be returned in his absence if he sent sufficient funds?—I got a letter from a very influential gentleman, as I mentioned before, on the very subject, which letter I showed to Mr. Raphael, and then of course he was able to judge for himself.

1286. Who was that gentleman?—The Rev. Mr. Doyle.

1287. Did that letter state anything about his being returned in his absence, if he sent sufficient funds?—It did.

1288. Were there sufficient funds to make up for the absence of the candidate; do you mean that the sufficient funds had anything to do with his presence or absence or not?—No.

1289. Then it was indifferent whether he was there or not?—No; he mentioned in the letter that it would be better for him to go there if he could, but still mentioning, that if he had sufficient funds he might be returned in his absence; he gave an opinion, that if there were sufficient funds he might be returned in his absence.

1290. Was the amount then mentioned of the funds that would be wanted?—The sum of 3,000 *l.* was mentioned.

1291. Was there an understanding or statement as to how much was for expenses of the election and how much for the other matter?—I do not think there was anything on that subject that evening before Mr. Vigors and me.

1292. Do you remember the very day, either the day of the week or the day of the month, when he did not keep the appointment that you mentioned?—I can tell you a circumstance by which the day can be ascertained; the evening that we saw him he had just returned from presenting the address of the City of London to the King; it was the day after that that he had appointed to meet us.

1293. And you then understood that he had gone out of town?—Yes.

1294. From the time of his not keeping that appointment did you see him again or have any conversation with him about Carlow till there was a prospect of the Members being unseated?—Just at that time I was in almost daily communication with him.

1295. At what time?—Just about November.

1296. From the time that he did not keep his appointment, namely, the day after the address was presented, did you again see him for some weeks?—No.; I did not.

1297. Or months?—Perhaps a couple of months.

1298. Did you see him until there was a prospect of the Members for Carlow being unseated?—I should think I did.

1299. When and where?—The next time I saw him was about April or May after, as near as I can recollect.

1300. That would be April or May 1835?—Yes.

1301. Are you aware that the Members were unseated in the month of May?—I was aware that they were unseated, but I did not recollect the month.

1302. Did you see him again till there was a prospect of the unseating of the Members

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Members who had been elected at the general election?—I should think I would have seen him whether there had been a prospect or not.

1303. Did you, is the question?—I do not know; from the general conversations with us I am sure he did not give up Carlow.

1304. At the meeting before that disappointment, when he did not come, Mr. Vigors was present?—He was.

1305. And he produced a letter from Mr. O'Connell?—He did.

1306. Do you know where that letter is?—No, I do not.

1307. Do you remember anything more in it than what you have stated, that Mr. O'Connell wished Mr. Vigors to wait on Mr. Raphael, to ascertain whether he was willing to stand for Carlow, and that from all he knew he had every prospect of success?—It was a very short letter; it was about Mr. Raphael. I believe Mr. O'Connell mentioned the sum of about 3,000 *l.* also.

1308. Was that the purport, that Mr. O'Connell wished Mr. Vigors to wait upon Mr. Raphael, to know if he would stand for Carlow?—It was.

1309. And the sum of 3,000 *l.* was mentioned?—It was.

1310. You saw him next in April or May?—I think, as nearly as I can guess.

1311. Was it then that he was in great spirits?—He was always in great spirits, talking of Carlow, or of getting into Parliament.

1312. But you mentioned a particular meeting, when you said that he was in great spirits, and produced some paper?—Very shortly before his election for Carlow that was, as far as I recollect. Mr. O'Connell's letter said these words: "Tell Mr. Raphael that he may be returned for something like what it will cost for an English borough, say 3,000 *l.*"

1313. You say that you told Mr. O'Connell to have nothing to do with Raphael, without having the money down?—Yes.

1314. When did you tell him that?—I do not know whether it was the first day of the election, or some days before it, just about the time.

1315. Was it after you had seen Mr. Raphael in spirits with this paper in his hand, or before?—I cannot say indeed.

1316. I must trouble you to recollect that?—I should think it was after that.

1317. On what occasion was it that you saw Mr. O'Connell; how came you to be in Mr. O'Connell's society, so as to make the communication to him, that he had better have nothing to do with Mr. Raphael, unless he had the money down?—I went on purpose to Mr. O'Connell, thinking that he did not know Mr. Raphael as well as I did.

1318. Where did you see him?—At his own house.

1319. What did you tell him?—I told him not to place any dependence upon Mr. Raphael, unless he had the money down previously in his hand.

1320. What did he say?—He said he would take care of that; that was his business; or something of that kind.

1321. Did he say that he had 1,000 *l.*?—He told me that he had sent that day 800 *l.* to Carlow, that very morning.

1322. Did he tell you that he had already got 1,000 *l.* from Mr. Raphael?—No.

1323. When did you see Mr. Raphael next after that?—I saw him during his election; he came to my house at different times.

1324. Did you ever go to his?—I did go to his; and I went to the Old Bailey also.

1325. Did you dine at the Old Bailey?—No.

1326. Perhaps you were not on visiting terms with Mr. Raphael?—He once asked me to dine with him the next week, and I never heard anything about it since.

1327. And in point of fact you never did dine with him?—Never.

1328. Or he with you?—No, never.

1329. Was it at the Old Bailey that he asked you to dine?—No, he asked me to dine at his own house; he said he had a few select friends at his own house next week, and asked me would I come, and I said I would. He asked me, after that, during the election, I think, to dine at the Old Bailey with him, and I did not go.

1330. You mentioned some letter that Mr. Raphael showed you towards the close of your examination?—I do not recollect.

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1331. Did he ever show you any correspondence of any sort?—He showed me some letters, I think, from Carlow, that he received.

1332. I take it for granted that you did not mention to Mr. Raphael what you told Mr. O'Connell about him?—No, I did not.

1333. I should like to know if you can give me the very day that you mentioned the communication with Mr. O'Connell?—It was either during the election or a day or two before it.

1334. Was that all the caution that you gave to Mr. O'Connell?—That was all.

1335. Did you tell him why you gave it?—No, I did not.

1336. But you merely recommended him to have nothing to do with Mr. Raphael without having the money down?—Yes.

1337. Then the election took place, and Mr. Raphael was returned?—He was.

1338. Did you see anything more of him for the rest of the year?—During the election he came four days to my house, and I believe sent twice or three times the day before.

1339. What was that about?—To see him, I suppose.

1340. Did you see him?—I saw him on the Sunday night before the commencement of the election.

1341. As far as you know, had Mr. O'Connell anything to do with the negociations before the general election?—No, as far as I know, he had not; I believe he had not; I believe Mr. Vigors was the individual.

1342. Nothing at all to do with it?—No; that question brought to me a circumstance; I told Mr. Raphael frequently, if he had not sufficient confidence in me or Mr. Vigors, he might go to Mr. O'Connell.

1343. Why was he to go to Mr. O'Connell?—Because Mr. O'Connell, having such influence in Ireland; if Mr. O'Connell could satisfy him, of course it would be right.

1344. Was Mr. O'Connell consulted that you know of?—No, he was not.

1345. Did he interfere in any way?—Not the least at that time, I believe; not down to the time that Mr. Raphael was returned.

1346. Never in any way?—Never in any way that I heard.

1347. Were you a party in any way to the negociation after the general election, which took place in January 1835?—I was not a party to any negociation at all.

1348. Were you not rather offended at being left out?—I was offended that Mr. Raphael should go for Carlow without even telling me of it, after I was the first cause of introducing him.

1349. Were you not offended?—I was not offended, but I felt hurt.

1350. You say that you heard by public report, that Mr. Raphael had given 2,000*l.* or 3,000*l.* to be returned for Carlow?—Yes.

1351. When did you first hear that report?—Just immediately before his election.

1352. Was it before you waited upon Mr. O'Connell to give him that caution?—Yes, it was; it was about that time exactly; of course it was, or I would not have waited upon Mr. O'Connell, if I had heard that he had got the money from Mr. Raphael.

1353. Had you heard from public report that Mr. Raphael was to give 2,000*l.* or 3,000*l.* in connexion with the Carlow election, before you waited upon Mr. O'Connell?—I think I had.

1354. Why did you wait upon Mr. O'Connell to give him that caution?—Because I had heard a report that he had received so much money, and I did not know whether it was true or false, and I thought I would warn Mr. O'Connell not to negociate, unless he had the money in his hand.

1355. How soon after you heard that report did you wait upon Mr. O'Connell?—Very shortly, I think; perhaps, two or three days.

1356. Were you well acquainted with Mr. O'Connell?—I had been acquainted with Mr. O'Connell, but I think he did not recollect me upon that occasion.

1357. Then your going to him on that occasion was calculated to make some impression upon your memory?—It was.

1358. And you went to him shortly after you heard this report?—Yes.

1359. Do you mean still to say that you cannot mention a single individual from whom you heard those reports?—It was a general report.

1360. Can

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1360. Can you name a single individual?—No; because I had nothing to do with the money transaction at all.

1361. Having attended to that report so much?—It was not to the report at all that I attended; I did it from knowing Mr. Raphael better than Mr. O'Connell did.

1362. Was it not in consequence of that report?—It was not in consequence; and I told Mr. Raphael different times that if he doubted me and Mr. Vigors, he might lodge the money in Mr. O'Connell's hands.

1363. Mr. Serjeant *Wilde.*]—You have been asked respecting reports that you heard, and sums that had been mentioned, did you ever hear of a report, or were you ever a party to any negociation for payment of any sum of money except for election expenses, and for the protection of tenants who might be expelled for their votes?—Never; there was nothing else understood.

1364. Did you ever know or hear of any other sum of money being required for the individual benefit of any human being?—Never.

1365. You have stated that you understood Mr. Raphael to profess Liberal politics; did you ever represent to him that he could be returned for any expenditure or any sum of money, independently of his politics?—No, he could not do it; it was one of the first things that I told him, that if he was not Liberal it was no use his going for Carlow.

1366. In his politics you mean?—Yes; indeed he professed to be fully as liberal as Mr. O'Connell, with the exception of the repeal question; he said that was the only thing.

1367. In your communications with Mr. Raphael, did you act in any authorized character, or as an acquaintance and connected with Carlow?—As an acquaintance and connected with Carlow.

1368. Were you ever authorized by any one to make any bargain with him?—Never.

1369. Did you ever profess to be?—Never.

1370. What had occurred between you and Mr. Raphael to induce you to give that caution to Mr. O'Connell?—From the repeated appointments made by Mr. Raphael with me and breaking a great many of them, and other things which came to my knowledge, that it is not necessary to mention, I thought that he was a person that was not likely to keep his word.

1371. You had communications with him, you say, during the Westminster election?—Yes.

1372. Did you learn from him whether or not he was desirous of becoming a candidate to represent the City of Westminster?—Yes.

1373. Did you ever see an address of his to the electors of Westminster?—Yes, he showed me one, and gave me one of them.

1374. Are you an elector of Westminster?—Yes.

[The Witness withdrew.

Charles Pearson, Esq. was called in, and Examined as follows:

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1375. Mr. Serjeant *Wilde.*]—YOU are well acquainted with Mr. Raphael, I believe?—I am.

1376. You acted as his under-sheriff during the year of his shrievalty for London and Middlesex?—I did.

1377. Had you at any time any communication with Mr. Raphael on the subject of his desire of becoming a Member of Parliament?—I had frequently.

1378. What is the earliest date that you can assign to any communication upon that subject?—Just previous to the general election; I think in December 1832, if my memory serves me correctly.

1379. Not the last general election, but the reform general election?—Yes, the great general election.

1380. That was before Mr. Raphael was elected sheriff?—It was.

1381. Had you any communication with him upon that occasion or any other, respecting the possible facilities, as between England and Ireland, of his being elected?—Not upon that occasion. Mr. Raphael, previously to the general election of 1832, applied to me to know whether I could assist him in his desire to get into Parliament; my acquaintance commenced with that; I should observe that I had previously been applied to before to support Mr. Raphael for Grimsby, which I had declined to do, not being acquainted with him.

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1382. After that communication, towards the end of 1832, had you any conversation with him as to the comparative facilities of his being elected a Member of Parliament between England and Ireland; will you state the substance of what passed?—That was in 1834. When Mr. Raphael repeated his application to me, as he had frequently intermediately done, it was about November, when it was anticipated that a general election would take place. Mr. Raphael at that time did not say anything of Ireland, but merely expressed his desire to enter Parliament generally; and my observations to Mr. Raphael were, that the line of politics that he adopted would recommend him to a large constituency, but that I did not think that he possessed that description of talent which, in other respects though considerable, was calculated to ensure success with an extensive constituency; and that I feared that in England with his political opinions in a confined constituency his religious opinions would operate against him, as it appeared to me throughout the country, generally speaking, a large proportion of the constituency in smaller towns were of the Dissenting persuasion, or the Wesleyan Methodists, and I thought Mr. Raphael's tenets as a Catholic would be injurious to him with that class of persons; and I then called his attention to Ireland, stating that it appeared to me, that in Ireland his political opinions would recommend him and his religious tenets would be of no disadvantage to him. Mr. Raphael then told me that he had already turned his attention towards Ireland, and that he had had some communication with some gentlemen about Ireland; I am not certain whether he mentioned the name of Mr. Vigors, but I afterwards had occasion to know that it was Mr. Vigors that he adverted to, by seeing Mr. Vigors at the Old Bailey about the same time in company with him, and evidently holding conversations which it was not desirable, as they thought, (at least Mr. Raphael appeared to think), that I should be a party to, therefore I left the room when Mr. Vigors and another gentleman, whom I have since learned to be Mr. Tyrrell, came there.

1383. Had you about that time any conversation with Mr. Raphael upon the subject of your writing to Mr. O'Connell?—I had.

1384. Be so good as to state when that was, and how that arose and the substance of it?—To the best of my recollection, it must have been the latter end of November, probably the 25th, 26th or 27th, or thereabouts, when Mr. Raphael stated to me that he was already in communication with a gentleman from Ireland; my observation was, "Why not apply to the fountain-head at once?"

1385. Did you explain what you meant by the fountain-head?—I do not know whether in words I sufficiently designated him, but it was well understood by Mr. Raphael; and Mr. Raphael said his acquaintance with Mr. O'Connell was not sufficient to justify him in opening a communication with him, but he thought that that had been done by the gentleman with whom he was in treaty. My reply was, that my acquaintance with Mr. O'Connell was slight, but upon such a business quite sufficient to justify me in writing.

1386. What did Mr. Raphael say to that?—He approved of it. I will not say that he *requested* me to write; we were upon those sort of terms, that it was not necessary that he should request me to do it, but it was agreed between us that I should write.

1387. Did you in consequence write to Mr. O'Connell?—I did.

1388. Did you keep a copy of your letter?—I did not.

1389. Will you state what was the substance of it?—I should observe, to preserve the order of the narrative, that I asked Mr. Raphael what his opinions were, in regard to particular local subjects that affected Ireland; his general political opinions I was sufficiently well acquainted with, but I asked him, stating that it was necessary in dealing with Mr. O'Connell, that I should be perfectly explicit and candid. Mr. Raphael replied, that in the general opinions of Mr. O'Connell in regard to Irish interests, he perfectly concurred. I then touched him upon the question of the repeal in plain terms, and Mr. Raphael said that he would not go into Parliament under a pledge to support the repeal of the Union. I considered it necessary to write to Mr. O'Connell explicitly upon that subject.

1390. Will you be so good as to now state the substance of your letters?—My letters stated that Mr. Raphael was desirous of going into Parliament; that I had recommended him to look to Ireland, and to look to Mr. O'Connell to recommend him to some constituency, if there was one that would be open. I stated Mr. Raphael's opinions in politics to be very strongly liberal; that upon Irish questions he generally concurred with Mr. O'Connell, but that in the question of the

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the repeal he must be left at liberty, his present opinion being against it; that he would not pledge himself for it. I requested Mr. O'Connell would write me word if there was likely to be any vacancy either of a county or a town where he thought Mr. Raphael would succeed; and to state to me very explicitly not only his impressions, but the calculations upon which those impressions would be founded; and also the probable expenses, and his reasons for deeming that amount to be the probable amount. I think I represented to Mr. O'Connell that I had been well versed in those matters, and therefore requested to have very specific information.

1391. Is that the substance of the letter, to the best of your recollection?—It is.

1392. Did you receive an answer from Mr. O'Connell?—I did.

1393. Have you got that answer?—I have.—[*The Witness produced the same.*]—Mr. Chairman, I presume that I need not make any hesitation in producing the letter on the score of professional confidence; I am required to produce letters; I suppose that has been discussed before.

Mr. *O'Connell.*—I desire it; my wish is that the letters should be produced.

I wish that it should be understood that I am called upon and required by the Committee to do so.

[*It appeared that the Letter was under a Frank, December* 3, 1834, *directed to Charles Pearson, Esq., and it was read, as follows:*]

My dear Sir, Merrion-square, Dublin, December 2, 1834.

I agree with you entirely in thinking that it would be exceedingly desirable to have Mr. Raphael in Parliament. I had already been apprized that he intimated recently a desire to be so; and, indeed, I believe it the more readily, because he some two or three years ago told me as much. Fortunately, as I hope, there is now quite a suitable opportunity; Carlow county is likely to be deserted by its present Members, and we are threatened by two powerful Conservatives. You will be glad to hear that even before I got your letter I wrote to Mr. Vigors, suggesting Mr. Raphael as a likely person to coalesce with young Mr. Ponsonby, Lord Duncannon's son, and by that means to secure the return of both. I say of both, for both must embark, if at all, in the same bottom. My present impression is, that with Ponsonby's popularity and *our* recommendation of Mr. Raphael, success is to the last degree probable. I wish you would see Mr. Vigors on this subject; he lives near the Botanic Gardens. You will find his address in the Directory. I will write by *this* post again to Carlow, and get an exact return of the constituency, divided into *good, bad* and *doubtful*, and if I find that the *good* exceed the other two, then we will proceed; but money is necessary. About 3,000 *l.*, say 3,000 *l.* at the utmost, would cover all expenses. I will not have Mr. Raphael stand unless I can insure two things for him; first, that the expenses shall not exceed that sum; and, secondly, that he will certainly be returned. You may of course rely on it that there shall be no speculation. At present, *I believe*, the return can be made certain, but I will not pledge myself without further information. Let me know how Mr. Raphael relishes my proposal to join Mr. Ponsonby, who has considerable local interest, and to go as far as 3,000 *l.* to carry the election. The principal expense will be to indemnify tenants who vote against their landlords' wishes; they may want from one year to half a year's rent. The greater part will only be a loan, and will be repaid. It will not, also, be required until after the election, and will be unconnected with any previous stipulation. The tenants who vote for us *thus* will expect that the gentlemen who compose the local committee should prevent their landlords from ruining them by sudden demands at periods when the Irish farmer has nothing to sell. But the entire of these advances and all other expenses not to exceed the 3,000 *l.* I have mentioned. In reply to your answer to this, I will give you precise and positive information; and even then you shall be at liberty to retract.

Believe me to be, my dear Sir, very faithfully yours,

Charles Pearson, Esq. *Daniel O'Connell.*

1394. That letter professes an intention to receive further information, and to write to you again; did you receive a second letter?—I did.

1395. Have you that second letter?—No.

1396. What has become of it?—I have no doubt whatever but that I gave it to Mr. Raphael.

1397. Do you recollect any conversation about that letter?—I do.

1398. What was it?—At my own house, after Mr. Raphael's return from Pontret, I read to him the second letter. Mr. Raphael was spending the evening at my house. The affair was then ended as regarded my negotiation for Carlow, and I was then reading this letter to Mr. Raphael and to my family, rather for the purpose of observing upon it, and commenting upon Mr. O'Connell's business

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business habits amid the confusion and turmoil of a general election, I read it with that view to Mr. Raphael, and said, the first letter I shall give my daughter to keep as an autograph, it being expressive of the character of the mind of the writer; and Mr. Raphael (to the best of my conviction, the impression is very strong upon my mind upon that subject) said, "I should like to have the second letter for the same purpose;" and I have not any doubt whatever but that the second letter I gave over to Mr. Raphael; but I understand Mr. Raphael says he did not receive it; my impression is not quite so perfect upon the subject as would justify me in positively affirming it in the teeth of Mr. Raphael's positive assertion, whose veracity relating to anything that *has* happened I have not had occasion to doubt. Since I heard that Mr. Raphael had not it, I have made every search for it in all those places in which I think it would have been if by accident he had not taken it away.

1399. Did you give it to anybody else?—No.

1400. And you cannot find it?—No.

1401. Before you received that second letter, had you written a second time to Mr. O'Connell?—I had.

1402. Will you be so good as to state what it was that had occurred which induced you to write to Mr. O'Connell the second time before you received the second letter?—When I read to Mr. Raphael the first letter of Mr. O'Connell, Mr. Raphael had stated to me that he was in negociation for Pomfret. I at once said to him, "that is wholly inconsistent with the continuance of this treaty with Mr. O'Connell, and you must not flirt with both; you must give up one." Mr. Raphael expressed his wish to keep them both in hand. I said I considered it due to Mr. O'Connell and to myself that I should write by that night's post to Mr. O'Connell to apprize him that Mr. Raphael was in treaty for Pomfret, and that I would have nothing to do with the affair, and urge upon Mr. O'Connell the propriety of his entirely abandoning all expectation of Mr. Raphael becoming a candidate, at least under *my* recommendation. I stated, that Mr. Raphael wished the treaty to remain open till he could visit Pomfret at least, but it appeared to me that affairs were pressing at that time, and that it was but fair to Mr. O'Connell to apprize him of what had happened, and I did so in that letter.

1403. That letter you wrote before you received Mr. O'Connell's second letter?—I did; they crossed upon the road.

1404. How soon after you received the first letter did you read it to Mr. Raphael?—I should think the next day probably; I could not be certain within a day or two.

1405. Did you read to Mr. Raphael, and show to him the second letter you received from Mr. O'Connell?—Not till afterwards, which was after his return from Pomfret.

1406. Will you state the contents of that second letter?—Yes; never having seen it since, my memory is indistinct as to its contents, but I recollect that it was warmer in its expression of confidence of success than even that previous letter, and it was based upon some numerical calculations, which I do not recollect; the only thing that at all varied, if it may be so called, was that it stated that 500 *l.* would be necessary for current expenses; I do not recollect whether it said before the election, but I should so interpret it, and considered that 500 *l.* was necessary for printing and advertising, and the expenses before the election, the previous letter having spoken of the money, the 3,000 *l.*, to be brought forward after the election, that is the only distinctive circumstance that varies it from the first.

1407. Before you received that second letter, had you written your second letter declining to prosecute the matter further?—I had.

1408. Did you ever receive any other letter from him, stating that in consequence of Mr. Raphael's vacillation he was too late for Carlow?—I think the second letter contained some expression of "vacillation;" whether it alluded to any one else's communication I do not know. I have a recollection of a letter from Mr. O'Connell in which that expression was used; whether that was in the second letter of Mr. O'Connell's, referring to some information from any person, or in a third letter from him, I do not know.

1408.* Do you recollect whether that second letter, which was with regard to the numerical state of the expenses, said that it was too late?—No, it certainly did not; I do not know whether it might contain some expression of his vacillation.

1409. My

1409. My question is directed to the expression that he was too late?—No, certainly not.

1410. Was there anything to put an end to negociation?—Most assuredly not; it was a letter that would have induced me, as having some experience in elections, to proceed in it.

1411. Do you recollect showing to Mr. Hamilton the contents of any letter you had from Mr. O'Connell?—I do not recollect having spoken to Mr. Hamilton; I do not recollect any conversation upon the subject of Carlow; I recollect to have seen Mr. Hamilton, but I do not recollect any conversation upon Carlow with him.

1412. Do you remember having any letters to show to him?—I am not clear whether there was not a third letter, after the receipt by Mr. O'Connell of my second letter, civilly terminating it, at last civilly as regarded me, but not so civilly as regarded Mr. Raphael; I have an idea that the "vacillation" of Mr. Raphael was alluded to in some letter.

1413. Did you interfere further at any time in respect of Mr. Raphael's being a candidate for Carlow?—Not in any way whatever.

1414. Have you been in any respect party to this inquiry, or the resistance of it?—Neither directly nor indirectly.

1415. Did you ever, and when, first show that letter to any one?—I showed it to Mr. Parkes, at your request, after I had heard that Mr. Raphael had taken the liberty to speak of me in disparaging terms; I had occasion to see Mr. Parkes upon other business upon which we were joint solicitors; Mr. Parkes told me that he was about to summon me to attend this Committee; he said that he should request the copy of a letter which he understood was in my possession, and the statement of such facts as were within my knowledge; I told him, when I appeared before the Commitee I should produce the letter but not till then, but I should hold no conversation with him on the subject, and that I adhered to.

1416. And till you saw me at Mr. Parkes' house you had not shown the letter to any one?—No; not till I had your sanction that I should do so.

1417. Had you any difference with Mr. Raphael?—I shall have now, but I never did have before.

1418. Have you always been on fair and even terms with him as far as you understand?—I have had no reason to think to the contrary; Mr. Raphael called upon us at the Old Bailey a short time since, and there were friendly conversations, the same as I thought always have passed between us; he talked on the subject of this Committee, and so on.

1419. You are not aware of any cause which led him to repent your being his under-sheriff?—No; and I have now alluded to it, because, having had the honour of being your agent for some time, and I felt that perhaps, if that observation passed without being answered, it might weaken your confidence.

1420. Sir *Frederick Pollock*.]—At Newark you mean?—Yes.

1421. When did Mr. Parkes call upon you and give you that information?—Mr. Parkes did not call upon me, I had occasion to call upon him eight or ten days ago, since the appointment of the Committee, but in the interval before its meeting.

1422. But you said you understood from some one that Mr. Raphael had spoken in terms of disparagement of you?—I understood it from Mr. Serjeant Wilde, that in the observations before the Committee here, he had expressed his regret at his having appointed me under-sheriff, or at my having appointed him sheriff.

1423. Did any one explain to you a doubt whether he had made you under-sheriff, or you made him sheriff?—I never heard the slightest doubt upon that subject.

1424. Was it mentioned to you that he had spoken of you in disparaging terms, that he regretted that you had made him sheriff?—Ceasing to joke upon the subject, I understood that Mr. Raphael had said, very improperly, he lamented that he had made me his under-sheriff, as if there had been some circumstance in the relation between sheriff and under-sheriff unfavourable to Mr. Raphael's interest, and disparaging to my character and conduct.

1425. Before that you say you had not shown the letter?—I had not.

1426. You mentioned having received three letters as coming from Mr. O'Connell, one of which only has been produced?—Certainly, two; possibly or probably three; if three, the last one, a letter unimportant, at least having nothing so

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material in it as to stamp an impression on my mind of having received it, or to induce me to keep it as an autograph.

1427. Not as Mr. O'Connell's autograph?—I only preserve autographs where there is something in the latter to stamp the character of the writer.

1428. An invitation to dinner, for instance?—From Mr. Raphael, I should keep that as an extraordinary autograph.

1429. Do I correctly understand, that in some letter of Mr. O'Connell's, an end was put to the negociation at that time, in some letter civilly expressed towards you, but not so civilly as regarded Mr. Raphael, in some terms or other the matter ended?—The negociation was terminated by a letter from me to Mr. O'Connell. The third letter, if at all received, was a mere civil expression, as to the termination of the negociation, an observation *upon* the termination, not terminating it. I think that is so to the best of my recollection; but I will not speak with positiveness upon that part of it. Certainly, I terminated it as far as I was concerned; but I did, as I deemed it my duty to do, express Mr. Raphael's wish, that it should be kept open for a week or ten days, till he had visited Pomfret; but my observation to Mr. O'Connell was, that I would have nothing to do with it after that letter.

1430. In whatever terms it was ended, in point of fact, was it ended?—Certainly, as far as I was concerned, entirely.

1431. Did you communicate that to Mr. Raphael?—Decidedly. I told him that I should write such letter, notwithstanding Mr. Raphael's wish that I should not put an end to the treaty.

1432. Did you consider the matter altogether and entirely ended?—Entirely, as far as I was concerned; I expressed Mr. Raphael's wish that it should be kept open; but as far as I was concerned, I considered Mr. Raphael's negociation at an end, and I should have supposed that Mr. O'Connell would have ceased to have anything to do with it after my letter.

1433. Do you remember the terms of your letter?—They were terms speaking of Mr. Raphael as a gentleman wanting that firmness and determination which appeared to me to be indispensable in affairs of that description; speaking nothing disrespectful of his principles, but only of the want of his firmness.

1434. You did not choose to be an instrument in conducting the negociation further under these circumstances?—No; I recollect observing to Mr. Raphael distinctly, supposing either an address from you to the electors of Carlow should be produced at Pomfret, or an address to the electors of Pomfret should be produced at Carlow, pending the election, you would be destroyed at both places.

1435. You did not agree with him in the propriety of standing for both places?—Certainly not; I used the expression, I remember very distinctly, that in politics as well as in love, he must get rid of one mistress before he flirted with another.

1436. Did you not urge upon Mr. O'Connell to abandon all idea of Mr. Raphael?—Certainly, I did urge to Mr. O'Connell that he should abandon all idea of Mr. Raphael, and that if he chose to wait for Mr. Raphael it must not be in pursuance of my request, but against my opinion.

1437. Did you communicate to Mr. Raphael before you wrote?—Yes; I did not write a sentence of that letter that was not first stated to Mr. Raphael; if not in those words, in some words as strong.

1438. So that he was aware of your sentiments?—Yes.

1439. You say you have no recollection of seeing Mr. Hamilton at the Old Bailey?—I said that before I saw him; my eyes had been fixed upon another gentleman whose countenance I knew, but whose name I did not know, and whom I had mistaken for Mr. Hamilton. Now I recollect seeing Mr. Hamilton at the Old Bailey, but Mr. Raphael used to be visited by so many gentlemen who seemed to have private business with him, and being just about the general election time, I thought it was connected with elections, and therefore I avoided as much as I could collision with those gentlemen, that I might not be supposed to be pressing myself into a service which I certainly had no desire to enter into. There is a letter which I found amongst my papers addressed by me to Mr. Raphael, and which was given me back by Mr. Raphael upon the occasion of his coming to confer with me upon this Carlow business; if it is your pleasure (and that states what my sentiments were at that time about his Parliamentary proceedings), it is at your service.

1440. My question to you was, "Do you recollect having an interview with Mr. Hamilton?"—I recollect to have seen Mr. Hamilton at the Old Bailey, but

I do

I do not recollect at all the subject of the conversation. I am not aware that it ever referred to Carlow.

1441. Can you undertake to say that you had not a conversation with Mr. Hamilton in which you expressed to him, that in consequence of the Sheriff's indecision, Carlow was out of the question?—I think it not at all unlikely that after that evidence of the indecision of the Sheriff, that I should have so expressed myself, that he had lost Carlow by his indecision. I thought so at the time, and I should therefore have said so if any person had spoken to me; but I do not know that I did.

1442. Assuming that Mr. Hamilton has said that he had an interview with you in which you stated that Mr. O'Connell had said that he had lost Carlow by his indecision, is that consistent with your memory?—If Mr. Hamilton, whom I believe to be a gentleman as far as I ever have heard, has said that I said so to him, it is very likely that I did say so. I will not contradict him, though I do not recollect it. I should have said so to any person authorized by Mr. Raphael to communicate with me.

1443. Is not that the result of the impression upon your mind of that correspondence, that Mr. Raphael lost that opportunity by his indecision?—Certainly, that Mr. Raphael by going to Pomfret, and my not recommending Mr. O'Connell to go on with him for Carlow, he lost Carlow; I have no doubt of it at all.

1444. As far as you were concerned, did not the matter there end in all Mr. Raphael's connexion with Carlow, as far as you knew of it?—Yes; and my connexion with Mr. Raphael in any election matter since, ended with that.

1445. Do you remember any expression of this sort, mentioned by you to Mr. Hamilton, that the Sheriff had lost Carlow by his indecision, and that Mr. O'Connell had looked somewhere else?—Of course, I cannot recollect having said that, because I do not recollect having ever had any conversation with Mr. Hamilton about Carlow; of course, I cannot recollect the particulars if I do not recollect the conversation.

1446. But the very words themselves might have suggested that?—No; but if Mr. Hamilton says that I stated to him that Mr. Raphael lost Carlow by his indecision, inasmuch as I thought then and think now that it is the case, if I was speaking to Mr. Hamilton, knowing him to be the friend and solicitor of Mr. Raphael, I should have said so.

1447. You are not prepared to say that it did not take place?—I will not say that, because if Mr. Hamilton says that it did take place, I will not say it did not; if any authorized friend of Mr. Raphael's had spoken to me upon the subject of that election, I should have said that he lost it by his indecision, meaning his indecision in balancing Pomfret and Carlow.

1448. You say, in the second letter there was something said about 500 *l.* for current expenses; do you remember any other statement in the second letter about current expenses?—I do not at all; if there had been anything to vary the tenor of the first letter, I think I should have recollected it, for I was looking at it as a man of business.

1449. You had no other letter from Mr. O'Connell upon this subject, except those two or three letters that you have alluded to?—No, I had not.

1450. Mr. Serjeant *Wilde*.]—You were asked whether you showed that letter before you heard of Mr. Raphael's repentance of having made you under-sheriff; did you produce it in consequence of that?—I think I should have exercised my own judgment as to the propriety of showing it even to you; and I might not have done so, but a little piqued by Mr. Raphael's remark, I yielded to yours.

1451. Had you before that said that if at any time you should deem it proper to be shown you would show it?—I had.

1452. When you heard of the expression used by Mr. Raphael, was it ever asked of you whether there had been any cause of difference which had placed you in that hostility?—I really can hardly say whether you did ask; I cannot pretend to say; the conversation was very cursory; if you had appeared to me to have felt the necessity of asking such a question, it would have made an impression upon my mind.

1453. You do not understand. Were you asked, whether after the expression there had been any difference between you and Mr. Raphael?—I do not know.

1454. There had not been?—No dispute of any sort or kind as to money or official matters or anything of that kind; we had terminated any visiting acquaintance.

1455. Had that anything to do with any matters connected with the sheriff or under-

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under-sheriff?—Certainly not; I had expressed my opinion freely upon Mr. Raphael's indecision of character, and had resolutely declined being concerned for him in his political advancement.

1456. Has there been any disapprobation of your conduct as under-sheriff expressed by Mr. Raphael?—Never, to my knowledge; but on the contrary, I have had him repeatedly express to me his entire satisfaction of the manner in which I had discharged the duties of my office. If Mr. Raphael's now shaking his head means anything, I wish it to be stated out. Mr. Raphael's only dissatisfaction was, that I would not continue to act as his mentor and as his agent.

1457. Do you recollect whether you ever repeated to any one that Mr. O'Connell had said that Mr. Raphael had lost Carlow by his indecision?—I do not recollect having so said.

1458. Do you recollect having destroyed or in any way disposed of any third letter?—Certainly I do not.

1459. You say you have searched and have been able to find only this one?—I have not searched for the third, but I have searched where the third would have been in searching for the second.

1460. Have you any reason to believe that you have a third letter?—Nothing more than the expression "vacillation" that has been used here; I think that that expression has been in a letter from Mr. O'Connell, and as it is not in the *first* and I do not recollect it to have been in the *second* there may have been a third, and that rather confuses me, and perhaps if I had time to reflect upon it, other circumstances might increase the recollection upon that subject, but I do not recollect at present, it is not unlikely that I may have received it, and I am satisfied that if it was, it was a letter only observing upon the previous termination of the treaty. If Sir Frederick Pollock has any instructions to examine me as to my conduct during the shrievalty, I hope he will do so; I will cheerfully answer any questions.

Sir *F. Pollock*.]—Mr. Chairman, I have no such instructions, but I must add that I have none of any sort.

[The Witness withdrew.

Nicholas Aylward Vigors, Esq., was called in; and Examined as follows:

N. A. Vigors, Esq.

1461. Mr. Serjeant *Wilde*.]—YOU are a gentleman having property in the county of Carlow?—Yes.

1462. You are a native of Ireland?—Yes.

1463. You have represented the borough of Carlow?—Yes.

1464. And you are a magistrate in Ireland and deputy-lieutenant?—Yes.

1465. Have you taken an interest in the politics relating to the county of Carlow for some time?—Yes, more particularly since the year 1832, the time of the Reform Bill having passed.

1466. Were you elected in the Parliament of 1832?—I was, in the first reform Parliament.

1467. Were you then opposed by any connexion of Mr. O'Connell?—I had been opposed previous to the election by the brother-in-law of Mr. O'Connell, the present Member for Kilkenny.

1468. And you succeeded?—Yes.

1469. After the Parliament of 1832, were you in communication with any of the inhabitants of the county of Carlow upon the subject of the representation to Parliament for that county?—I was; I was in communication with the popular interest of the county of Carlow from the election of 1832, and from that to the present moment; I was chairman of the Independent committee, or of the Liberal committee of the county.

1470. When did you become so?—At the time of the registry in 1832, immediately consequent upon the Reform Bill.

1471. Has that committee continued to exist from that time?—It continues to exist at this present moment from that time.

1472. Who has been the secretary of that committee?—A Mr. Edward Michael Fitzgerald.

1473. Has a gentleman of the name of Maher been also a member of that committee?—A clergyman, the Rev. James Maher, has also been a member of that committee.

1474. A clergyman of the Roman-catholic persuasion?—Yes.

1475. You

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1475. You are a Protestant?—I am a Protestant.

1476. Did you at any time, when in connexion with the gentlemen at Carlow, hear of Mr. Raphael upon the subject of his becoming a candidate for that place?—I did.

1477. What is the earliest date at which you heard of his name in connexion with Carlow?—In the summer of 1834.

1478. In what way did you first become acquainted with his name in connexion with the county of Carlow?—My attention was first called to Mr. Raphael by letters from the county of Carlow.

1479. What do you believe to be the earliest date?—The summer I should say of 1834; I cannot tell the precise date, but it was previous to July or August; I should say that it was about July.

1480. Will you look at that letter and tell me whether that is the letter which you received from Mr. Fitzgerald, the secretary of the Independent committee, and whether that was the first letter, or whether there were others before?—This letter I received from Mr. Fitzgerald.

1481. Had you been in correspondence before the date of that letter upon the subject of Mr. Raphael?—Yes.

1482. You received that letter?—Yes, from Mr. Fitzgerald.

1483. Did you receive it at its date?—I received it three days after its date.

1484. Were you, at the time of that correspondence, in communication with the gentlemen in Carlow who formed the committee upon the subject of finding a candidate to represent that county?—I had been in communication with them upon that subject for some time previous to this letter.

[*A Letter was delivered in, dated the 10th September 1834, from Mr. Fitzgerald to Mr. Vigors, which was read as follows:*]

My dear Sir,

I have just received your letter of the 5th instant, and have had Mr. Ponsonby's name inserted for a subscription of 5*l.* to Dr. Doyle's fund. I hope ere this the object of your visit to the sea has been accomplished, by the restoration to health in your family. I have been consulting our friend, Rev. Mr. Maher, upon the usefulness of your being present here, prior to the period for serving the notices for registry; he argues with me that your being here in time is most important; true, we can have notices served *pro forma*, but we have found heretofore that the parties have never come forward: also it is intended to have a meeting of the town and county committee convened at that period, and I do think the fact of your being present at such meeting would produce more notices of registry, particularly from the county, than 100 circulars directed to either priests or people. I am now preparing to forward circulars to the different parishes, requesting that I may have lists of such persons as are entitled to register against the 26th instant, and stating your presence is expected at that time. Until I see you, I shall defer saying any more upon the subject of town or country, but that it was never intended to take any step regarding a new candidate for the county, until you were upon the spot. Mr. Maher has wrote by this post to John Tyrrell relative to Raphael, and he thinks if you could bring him over here about the time of registry, we would have all our influential laymen in town, and likely all the clergy, as the consecration of Dr. Nolan will take place about that time. I may say that Mr. Ponsonby has declared officially his intention of offering himself to the Independent interest at the next general election.

1485. Did you afterwards receive the letter I now hand you from the same gentleman upon the same subject?—This letter I also received from Mr. Edward Fitzgerald.

1486. Were you deputed by the gentlemen at Carlow to seek for a proper candidate for the county?—I received their authority to seek for a proper candidate for the county.

[*Extract of a Letter delivered in, dated the 23d of November 1834, which was read as follows:*]

Mr. Wallace also states that he had a letter from you, in which you state that there being no immediate chance of a dissolution, you think it not necessary to be on the active look out for a candidate, &c.; he differs from you, and his reasons are, that if Peel will consent to join the Duke, and meet the present Parliament, the first vote of The House, as it is now constituted, would inevitably produce a dissolution; so that, under all the circumstances, if the Tories remain in office, a new election cannot be far distant. I had a long interview with the bishop this day; he agrees entirely with Wallace, and he has caused a circular to be addressed to the different parish priests to ascertain how we stand in the county; and in the course of a week I am to summon a meeting (private) of a few of the leading men of the county, with the clergy, to meet at my

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house, at which meeting Wallace will be present; in the meantime you should be on the look out for candidates. The bishop would prefer that you should be the person, on behalf of the county, that should apply to Raphael; rather than allow O'Connell (as the bishop says) to dispose of the county. I mentioned to you in my last what O'Connell said to me on the subject; from Wallace's letter to me this day, I think he is inclined to stand for the county, provided the expense was limited; indeed, I have thought it well to enclose you his letter; you can return it to me. I am now quite satisfied that we will have the active co-operation of the bishop and the clergy; he was with me two hours this day on the subject, and he is about to make an exertion to reconcile the Tory papists of the town; he has already prevailed upon Dooling to give up his action against Bolger.

I am, my dear Sir,

E. M. Fitzgerald.

1487. Did you also about the same time, November 1834, receive a letter from Mr. O'Connell, and is that the letter?—I received this letter from Mr. O'Connell two days after its date.

[*A Letter, dated 26th November 1834, was delivered in, and read as follows:*]

My dear Vigors,

We are all bustle, preparing to fight the Tories, in all the counties and boroughs. Carlow county interests you more immediately. Wallace and Blakeney know they will not answer. The honest men there suggest Mr. Ponsonby, Lord Duncannon's son, and Mr. Raphael, the London Sheriff. Will you call on Lord Duncannon on this business. I wrote to him to say I would ask you to do so; first, however, you should see Mr. Raphael, and ascertain whether or not he would stand. We could secure him the county at inconsiderable expense; say, for the very utmost, 3,000 *l.* You can tell him that I will be one of the guarantees of his success if he will thus come forward as the colleague of Mr. Ponsonby. Let me know without delay whether there be any chance of effectuating this plan.

Believe me always, my dear Vigors, yours most faithfully,

N. A. Vigors, Esq., M.P. *Daniel O'Connell.*

1488. In consequence of your communications upon the subject of Mr. Raphael, did you see Mr. Raphael in 1834?—I saw Mr. Raphael in consequence of that letter and others received from the county.

1489. Can you give the date at which you first saw Mr. Raphael?—I cannot give the exact date of this interview which you refer to, in consequence of the letter from Mr. O'Connell. I had previously had interviews with Mr. Raphael on the same subject; the general subject of the Carlow county.

1490. Will you give the Committee the earliest date of your communication with Mr. Raphael upon the subject of Carlow?—My attention was first called to Mr. Raphael in the summer of 1834; it was in consequence of a letter I received from Carlow, stating that a Mr. Tyrrell, residing in London, had mentioned that there was a candidate, a gentleman of large fortune and independent principles, who was anxious for a seat in Parliament; and Mr. Tyrrell mentioned that he thought this gentleman would suit us; his name was mentioned; and it was referred to me to make some inquiries about it. I applied immediately to Mr. Tyrrell. At that time we had in contemplation that there would be a vacancy in the county, on the resignation of Mr. Blakeney; and I applied, in consequence of the letters I received from Carlow, to Mr. Tyrrell. Mr. Tyrrell told me that Mr. Raphael was then anxious for a seat in Parliament, and he promised to introduce him to me, and he consequently made an appointment at my house; and Mr. Tyrrell and Mr. Raphael came to my house about this time, which I cannot exactly state, but it was the summer of 1834. At that meeting, we spoke generally of the state of the county. I mentioned to him the opportunity that was likely to take place by the resignation of one of our Members; I stated the position in which the Independent interest stood; I stated that we were certain of success, but that we wanted a candidate who would not only pay his expenses, but would identify himself with the county. I mentioned that that was a *sine qua non*; that we had found ourselves involved previously in a most unpleasant predicament, being obliged to go out of the county to get a candidate of liberal principles, not being able to find one in the county. I stated to him that the candidate we looked for must identify himself with the county, must purchase property there, and, as representative of the Liberal interest of the county, defend them against the oppressions of the other faction, which had, in consequence of a former election, been extremely pressing. I pointed out all those circumstances to him; I told

him all the difficulties of the case, and all the opportunities and best parts of the case, and explained to him the whole state in which we were at that time.

1491. Do you recollect whether you mentioned anything on the subject by whose authority you were acting, or with whom you were in communication?—I expressly declared to him that it was the Liberal committee of the county that had given me authority to look out for a candidate, or to treat with him, or communicate with him. I had not liberty, I considered, to conclude with Mr. Raphael at once, but to communicate to them my consultations with him. Mr. Raphael spoke in the strongest terms of his anxiety to be identified with us; he spoke of his wish to assist Ireland in general, and to assist the oppressed of the country; he professed most munificently his good intentions towards Ireland in general, and his wishes to assist us to a great extent; he spoke of expending thousands.

1492. You say he spoke of assisting *us*, whom do you mean?—The Liberals, and particularly those who were oppressed on the score of politics; he went so far as to state that he would be most anxious to identify himself with us, and gave me authority to look out for estates for him, and requested me to inquire whether there were any such then in the market. Our conversation did not go to particulars. I mentioned a certain sum that would be requisite for the immediate expenses, perhaps the sum of about two or three or four thousand pounds, that it would be absolutely necessary to advance; we went not into the particulars, but into generals; that was the substance of our conversation at that time.

1493. Will you be so good as to state anything that you said on the subject of the alleged oppression?—I stated the persecutions that had taken place in consequence of the election of 1832, the Conservative landlords having instituted most unfair proceedings against their tenantry; at that moment many of their tenantry being in a state of the greatest destitution and poverty in consequence of exactions of their landlords. I stated the whole of those persecutions most explicitly.

1494. You say that you mentioned in general terms the sums that would be necessary; for what did you explain that would be applied to?—In the first place, to the necessary and legal expenses of the contest; and what would be over that, I stated it to be necessary to have as a fund to support and assist the oppressed people of the county; and also for the purpose of the registry, and other matters attending upon the election.

1495. After this communication, upon what basis did you separate; what was the result of the interview between you?—The result of the interview was, that I considered, at any time, when a resignation of one of the sitting Members took place, or a dissolution, that we should have a candidate who would answer our purposes most admirably.

1496. Did Mr. Raphael then assent to your general statements?—He did, and expressed himself highly satisfied with the prospects that I laid before him.

1497. This took place in the summer of 1834?—It did.

1498. Had you one interview with him at that time only, or more than one?—I cannot positively answer that question; I might have had more, but I cannot say positively that I had.

1499. When next do you recollect any communication with Mr. Raphael upon the subject?—It was at the time when the dissolution was spoken of, about the latter end of November.

1500. About November 1834?—Yes.

1501–2. Will you state in what manner your communication recommenced at that time with Mr. Raphael?—I immediately applied, on receipt of Mr. O'Connell's letter and other letters which came much about the same time from the county of Carlow, to Mr. Tyrrell again, and I requested Mr. Tyrrell to make an appointment with Mr. Raphael, that we might come to an understanding together; he made an appointment at the Old Bailey, where Mr. Raphael was then acting as sheriff; the day I cannot state; but it was the latter end of November or the beginning of December; on that day I proceeded, in company with Mr. Tyrrell, to the Old Bailey, where I met Mr. Raphael, and there I renewed the conversation again with him, and laid the foundation for future interviews, when we could come to more particular details.

1503. Will you state what passed at that interview?—Mr. Raphael at that time was extremely busy, and several interruptions we received, and the nature of our communication was extremely general on that day; my great object was to appoint an interview where we could come to more particular details; and

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I generally stated to him then the same that I had stated before at the previous meeting at my house.

1504. Did a subsequent interview take place in which you discussed those particulars more at large?—Yes.

1505. How soon after your first meeting in November did your second take place?—Very shortly after.

1506. Where was that?—At Mr. Raphael's own house.

1507. Will you proceed to that interview, and state what took place, and who was there?—Mr. Tyrrell was present, and there I again renewed——

1508. Will you state as specifically as you can what took place?—I mentioned the approaching dissolution, the prospect of it, and that we were still in expectation of a candidate, such as he had professed himself to be. I stated generally the terms upon which we should expect him to come forward as our candidate; the terms were at that time, I believe I mentioned, 2,000 *l.* or 3,000 *l.*

1509. Will you state in what manner you introduced those terms, what it was for?—It was for the purpose of the contest; of course the expenses of the contest, the legal, the usual expenses of contest, such as were always applied to that purpose; and also knowing that there would be a surplus, I spoke of it as a fund for the purposes I have already mentioned, the support of the persecuted tenantry against the landlords.

1510. Will you just detail what passed at that interview?—There were other matters that I mentioned to him that were necessary for a candidate to support; other expenses, such as registry and many matters, charities and donations to public buildings, and matters of that sort, all which, I said that 3,000 *l.* would adequately cover. I went further to say that the whole of that should be left to himself, and he should see the whole of the expenditure; and I urged him that he should see the case, go to Carlow to ascertain the state of things with his own eyes, and that he should have the appropriation himself, or under his own superintendence, of the whole of those monies, so that he should be satisfied with the mode in which they should be appropriated.

1511. Was anything said about his becoming a member of the Liberal committee or Independent committee?—I cannot say that I mentioned it to him.

1512. You say that you mentioned to him about his going over to Carlow; will you state what passed upon that subject?—At that time he stated that he was in the midst of his official duties, and that he could not go.

1513. At what period did you propose that he should go?—My object was that he should go immediately, and introduce himself in person to the electors.

1514. Will you state what Mr. Raphael said upon the subject of his going?—He said that it was impossible for him to go over at that moment; that his official duties were such that he could not obtain leave; and at the same time I mentioned that it was not absolutely necessary that he should go; that it was no bar to his being a candidate. He said, he feared as he could not go he could not be a candidate; I said, there was no apprehension on that score, that there was sufficient excuse for his not going.

1515. Did you say anything upon the subject of his politics?—Yes; I was particularly anxious to know what his politics were, that we might have some express declaration of them. At a previous meeting in the summer, and also a those meetings in November, I urged that most particularly, and he gave me, as a pledge of what his principles were, his address to the electors of Westminster, which was sufficient in my eyes to guarantee him.

1516. Do you happen to have a copy of that address?—I have a copy of it, but not about me.

1517. Can you produce it?—I am pretty sure that I can produce it.

1518. What did Mr. Raphael say upon those subjects?—He represented himself as coinciding with the politics of our county generally; he expressed himself most anxious to meet our terms; indeed, he seemed to think our terms extremely moderate. He spoke as if it were thousands more that he would give us beyond the sum that I mentioned; he also seemed in every way to coincide with my proposals; but he mentioned that he was treating for Pomfret, and if I mistake not, for other places, but he mentioned one place in particular, and that was Pomfret.

1519. And what did he propose should be done?—I proposed that he should make up his mind, and give me an answer as soon as possible; and I found it extremely

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extremely difficult to get him to come to any decision. I was obliged subsequently to leave town myself previous to the general election.

1520. Before you left Ireland had he given you any answer?—I urged him to give me an answer before I went over to the electors for the county, but I could get no explicit answer from him.

1521. Did he ever positively decline, before you left town, becoming a candidate for Carlow?—I considered that he declined, from his not giving me a positive answer, which I had told him he must give.

1522. Did he ever in terms decline, or only omit to give you an answer according to your request?—I cannot say.

1523. Will you read that note?—[*A note being handed to the Witness.*]—That note is from Mr. Raphael, dated December 8th?—Yes.

1524. Had he given you an answer up to that time?—No, he had not.

1525. Did you afterwards receive that note from his solicitor, Mr. Few?—[*A note being handed to the Witness.*]—Yes, I received this.

1526. Did you leave London for Ireland without having received any answer from him at all?—I received no positive answer from him, but Mr. Few, who called upon me in consequence of that, mentioned to me so positively that he was engaged for Pomfret, that I took it for granted that was the case; but I do not think that I received any positive decision from Mr. Raphael himself.

[*Note, dated December* 8, 1834, *from Mr. Raphael, was read as follows:*]

My dear Sir, Chancery-lane, 3 o'clock, December 8th, 1834.

I went directly from your home last night to my friend at Turnham Green, but regret to say that he had left home by the mail for Bath. He is expected back to-morrow or Wednesday, and I intend by this evening's mail to write to him to call upon you. I hope to be back myself by the latter end of the week.

Your's, faithfully,
Alexander Raphael.

1527. Had he said anything to you about this friend at Turnham Green?—Yes, he had; he said he expected some news respecting the borough for which he was in negociation at the time, but that much depended upon the answer that he would receive from him.

[*The note, dated December* 11*th, from Mr. Few, was read as follows:*]

Sir,

Mr. Raphael has sent a letter to my partner, on the subject of a *confidential* communication he has lately received from you. Mr. R. is at present in the north, but returns to town, and has desired Mr. Hamilton to see you on the subject alluded to; as however Mr. Hamilton is now in Somersetshire, and will not return to town before Monday next, I shall be happy to wait upon you, if you have any desire to see me, at any time most convenient to you.

Your very obedient Servant,
R. Few, Covent Garden.

1528. Were you aware, when you had last seen Mr. Raphael, that he was going out of town?—Yes, he told me that he was going out of town; previous to that letter which I received from him, he told me that he was going a short distance, to Hammersmith, but he also mentioned, in the course of negociation, that he was going to Pomfret.

1529. Did those notes terminate your communication about Carlow at that time?—Not those notes, for I wrote to Mr. Few, stating that I should be happy to see him, and Mr. Few called upon me a few days afterwards, and I had a communication with him, the result of which led me to believe that Mr. Raphael stood for Pomfret.

1530. Did that put an end to your communication at that time?—Yes.

1531. Up to this time, on whose behalf and by whose authority had you been communicating with Mr. Raphael; was it by Mr. O'Connell's, or the gentlemen of Carlow?—The gentlemen of Carlow, the Independent electors of Carlow.

[The Witness withdrew.

Veneris, 4° die Martii, 1836.

MEMBERS PRESENT.

Mr. N. W. Ridley Colborne.	Mr. Ord (Newcastle).
Lord Francis Egerton.	Sir Charles Broke Vere.
Mr. Bannerman.	Mr. Warburton.
Mr. Barneby.	Sir Eardley Wilmot.
Sir Ronald Ferguson.	Mr. H. G. Ward.
Sir John Yarde Buller.	
Sir Frederick Pollock.	Mr. Serjeant Wilde.

MR. NICHOLAS W. RIDLEY COLBORNE, IN THE CHAIR.

Sir *Frederick Pollock* stated that, according to Mr. O'Connell's promise, he had had an opportunity of examining Mr. O'Connell's account, and that it had occurred to him whether it would not be necessary for the Committee themselves to see the account, and that he had not shown the account to any person whatever.

Mr. Serjeant *Wilde* stated that if any such necessity arose, he should be perfectly ready and willing that the Committee should see the account.

Nicholas Aylward Vigors, Esq., again called in; and further Examined.

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1532. Mr. Serjeant *Wilde*.]—YOU yesterday detailed certain communications which had taken place between you and Mr. Raphael about the Carlow election, the first in the middle of 1834, and the second at the latter end of 1834, and you were proceeding to give an account of what had taken place in the early part of 1835: were Mr. Bruen and Mr. Cavanagh returned as members for the county of Carlow in the election of 1835?—In January 1835.

1533. Was any petition presented against the return of those gentlemen?—Yes.

1534. Who were the supporters of that petition?—The independent freeholders of the county, acting by their committee.

1535. Do you refer to the committee which has been before spoken of?—The same committee.

1536. You said that you were a member of that committee?—I was member and chairman.

1537. Did you take an active part in the support of that petition?—A very active part.

1538. Who was the Parliamentary agent employed in the conduct of that petition?—Mr. Baker, of Spring Gardens.

1539. By whom was Mr. Baker employed?—By myself, on behalf of the committee.

1540. Had you any communication with Mr. Raphael soon after that petition was presented, upon the subject of the prosecution of it?—I had several.

1541. Will you detail what passed between you and him on that subject?—I met him at various times, and explained to him the exact state in which we stood. I mentioned the nature of the petition, and the very great grounds we had to expect success. I mentioned to him that there was every probability of the seat being opened, and I referred to our previous negotiation, and told him that now was a favourable time for his uniting himself to the county, and identifying himself with the county and with the interest of the liberal party of the county; that our cause was good at the time, but that our funds were weak; that any gentleman situated as he was, who would aid us in prosecuting that petition, if in other respects suited to us as what we viewed him at the moment, that we would look upon him as having a claim to our support when the seat was opened. I stated to him the nature of the expenses that the petition would probably run to, and the expenses that the county would look to him to defray for that purpose, and entered generally——

1542. You

1542. You say you told him what expenses the county would expect him to defray, will you give the Committee a general statement of what you said to him upon the subject?—It was very general; I stated to him that the expenses of the petition might vary from 500*l.* to 1,000*l.*, but at the same time I stated that the county had subscribed to a certain extent, and that it was only certain assistance that we should expect from him, but not the entire. I then further added, that there were certain expenses which I had been already in negotiation with him about when the contest would ensue, but however I found that Mr. Raphael was by no means inclined——

1543. State the substance of what he said?—He stated in general that he was disinclined to run any risk; if the seat was opened, and there was a certainty of success, that then he would come forward and meet our wishes, but he generally stated his disinclination to run any risk on the occasion.

1544. Did he say any thing on the subject of expense, or the amount of it, or in what way he estimated that?—He stated that expense was no object to him; that in case of being returned, no expense he would consider as too great for the paramount object of his ambition; he spoke, in fact, of thousands that he would give, while I was telling him that we wanted a more moderate sum; he went far beyond me in his professions to meet our wishes.

1545. Had you one meeting, or more than one?—More than one, certainly.

1546. Did you continue the prosecution of that petition?—I did, or we did, rather; I on behalf of the committee.

1547. The committee came to a determination upon that petition on the 27th of May?—On the 27th of May the case was decided.

1548. Do you recollect being at a meeting at Crockford's Bazaar of the Zoological Society?—I was.

1549. Had you learnt the determination of the committee before you were at that meeting?—I learnt it at the meeting.

1550. Was that on the 29th or the 28th?—The 27th.

1551. At what hour of the day might it be; was it after the middle of the day?—It was between two and three; the decision of the committee took place at half-past one.

1552. Who informed you of the decision that the committee had come to?—Two gentlemen whom I had left at the committee-room previously to my leaving it; I was obliged to leave it at 12 o'clock, and those gentlemen I requested to let me know as soon as the decision had been given.

1553. Was Mr. Raphael in attendance upon that meeting of the Zoological Society?—He was.

1554. Was he present when the communication was made to you of the result of the committee?—He was at hand; I had been speaking to him previously for perhaps ten minutes on the subject of the business of the meeting for which we met, and he was immediately at hand when the two gentlemen came in and wished me joy of the success of our petition.

1555. Will you be so good as to state to the Committee what occurred between you and Mr. Raphael upon that occasion?—I immediately mentioned to him the decision of the committee as communicated to me, within perhaps a minute after it was communicated to me. We drew aside; I told him that now was an opportunity, now there was a certainty of the seat being opened, for him to follow up those wishes which he had expressed previously to me, now was the time to enter into the negotiation on which we had previously spoken. I told him at the same time that there was an absolute necessity for my immediately leaving town, to go over to Carlow to see after the county previous to the election, and that it was necessary that he should decide almost immediately, that no time was to be lost; he seemed still, as usual, undecided; but I insisted upon there being some immediate answer; I told him the necessity of an answer, and that if we could not decide with him, we must decide elsewhere. I then mentioned in general the terms that we would consider necessary for him to give.

1556. Just repeat what you said?—In consequence of his being anxious for a definite sum being mentioned, I mentioned the sum of 2,000*l.*

1557. Just tell me what had preceded the expression of his wish that a definite sum should be mentioned?—My wish was that he himself should examine

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what the necessary expenses were, that he should himself defray those expenses, and that instead of handing the money to me or to the committee, or to any one else, that he should himself be the disburser of his own money for those necessary purposes which would forward his election; but he did not wish, as he expressed himself, to have any thing himself to say to it; he expressed his wish to give a definite sum, and to have no further to say to the disbursement of that sum. In consequence of that I mentioned the particular sum of 2,000 *l.* He stated in answer to my offer, that he would give much more than that, but that still he did not like risking even that small sum upon an uncertainty, and I told him that we were also much in the same predicament as he was; that we did not wish to set up any gentleman as a candidate for a county, and most probably return him, unless we were certain that we had the money to pay his expenses, and I proposed that something half-way should be determined on between us, and that instead of his giving us 2,000 *l.* beforehand, or instead of our returning him without any money, that he should advance half the sum immediately, and the other half on his return. Mr. Raphael acquiesced, as far as I understood, in the justice of those terms, but he seemed still to hesitate, and he said he wished to consult his friends; and upon my stating that he must determine, for that I must have an answer within a day, that I had not 24 hours to remain in town, I asked him then what friends he would wish to consult, and he immediately mentioned his friend Mr. O'Connell. I acquiesced in the justice of his choice, and I said that Mr. O'Connell was exactly the man to whom I should wish the whole matter to be submitted. I left him then under the impression that he was to leave the whole matter to Mr. O'Connell, and it depended entirely on following up this negotiation with Mr. O'Connell whether he was to be our candidate or not. I immediately left him, in the expectation certainly that we should agree, and returned to my friends, to whom I mentioned that I had a negotiation with Mr. Raphael, and that it was left to a mutual friend, and that although not immediately decided on, yet still that the decision was most probable that he would stand as candidate.

1558. Had Mr. O'Connell's name been mentioned or suggested by you before Mr. Raphael, in answer to your question of who the friend was that he wished to consult, named Mr. O'Connell?—Mr. O'Connell's name had been mentioned, but not as the friend or negotiator; we had mentioned his name, for, in fact, I had been speaking of other candidates to whom we should most likely apply in case of his refusing us, and in order to urge him to an immediate decision, I mentioned that there were other names, and in the course of that conversation Mr. O'Connell's name was incidentally introduced; but the proposition of leaving the settlement and completion of the treaty to Mr. O'Connell originated entirely with Mr. Raphael.

1559. Was Mr. O'Connell mentioned in any way, except as you have stated, as the person who would be, in communication with others, likely to become candidates, or in any other way except as referee, as you have now mentioned?—In no other way, except as referee.

1560. Did you endeavour to see Mr. O'Connell after that?—I made it a point to see him as soon as possible afterwards.

1561. And how soon did you see him?—The same evening.

1562. What communication did you make to Mr. O'Connell?—I mentioned the conversation that I had had with Mr. Raphael, and I told him that I wished that he would follow it up, and I mentioned the particular terms on which I authorized him to conclude the arrangement with Mr. Raphael.

1563. Will you be so good as to state what the terms were?—The terms were those which I had proposed to Mr. Raphael, 1,000 *l.* to be paid immediately, and 1,000 *l.* to be paid on his return.

1564. And to what purposes were those sums to be applied?—The application of those sums were to election expenses in general, and the expenses arising out of the election; the application of the first 1,000 *l.* was, as I expressed myself to Mr. Raphael, to be to the payment of part of the expenses then incurred for the petition that had just been decided at the moment, and the other part towards the ensuing election expenses, the expenses arising out of the contest; the second 1,000 *l.* I generally stated was to be given to the fund, which I had always mentioned to him it was necessary for a candidate to subscribe

subscribe to, for the purpose of protecting the voters and registering expenses, and the incidental expenses attending the election in the county.

1565. What are the registering expenses?—There are four times of registering in Ireland, at the Quarter Sessions; the applicants on both sides are generally opposed, indeed almost invariably by the opposite party, and there are always counsel and agents employed at considerable expense; there are expenses again for valuing their grounds; that is necessary before they appear. As the cases are now carried on, there is as much acrimony and as much difficulty in registering a man as there is in carrying on the election afterwards; every case almost becomes a *nisi prius* case; in some instances a whole day is consumed on the estimation of the value of a particular franchise, and considerable expense of all kinds is incurred.

1566. Had there been distress alleged to arise from the persecution of persons who had voted in a particular manner; had such a state of things existed in Carlow?—Very considerable distress had existed subsequent to the election of 1832, up to the period to which I now speak.

1567. Had a fund been created for the relief of those persons, and did you subscribe to that fund?—A very considerable sum had been subscribed to the relief of those men.

1568. When Mr. O'Connell was referred to, was there any thing said or understood, as far as you could collect from what passed, that Mr. O'Connell was to have any thing to do with the distribution of the money?—Certainly not.

1569. To whom was Mr. O'Connell to account for that money?—He was to account to me on behalf of the liberal committee. Mr. O'Connell was but the banker in whose hands it was deposited, and to whom we were to apply as we wanted the money.

1570. You say you saw Mr. O'Connell on the evening of the 27th, after you had seen Mr. Raphael, did you see him again between that time and the 31st, which was on the Sunday following?—I cannot say; I might have seen him, but I certainly saw him on the Sunday.

1571. Did you see Mr. Raphael in that interval?—Yes, several times.

1572. Had you any conversation with him upon the subject of his having seen or of not having seen Mr. O'Connell?—Yes; he mentioned to me at different times his being disappointed in seeing Mr. O'Connell, and also mentioned the reasons why he had met with those disappointments; he made one or two appointments with Mr. O'Connell, and he was late by his own fault or by Mr. O'Connell's fault, I do not know which.

1573. Do you remember seeing Mr. Raphael on the 31st, the Sunday morning?—Yes.

1574. At that time were you anxious to be quitting London for Ireland?—Particularly anxious; I was anxious day by day.

1575. Were you waiting for other purposes in general, or for Mr. Raphael's answer?—I was waiting only for Mr. Raphael's answer.

1576. What passed between you and Mr. Raphael when you saw him on the Sunday?—I saw him at his own house on the Sunday morning, and he then stated to me that he was to have an interview with Mr. O'Connell in the course of the day; I think he mentioned one or two o'clock; he said that he would probably call on me at my house as soon as he had an interview with Mr. O'Connell, but said nothing decisive upon that point, so much so that I did not wait at home, knowing that his appointments were not kept so punctually as those of gentlemen in general. At about half-past two o'clock, not hearing anything from him, I came down to ascertain the fact, whether the agreement had been followed up, whether the whole arrangement was perfect or not; I was going down to Mr. O'Connell's; I passed through Berkeley-square in my way down; and as I was on my way I was stopped by a call from a carriage in the street; I recognized the voice of Mr. Raphael; I stopped and was accosted by Mr. Raphael; I stepped up to the carriage, and he then mentioned to me that he was happy to tell me that every thing had been concluded between him and Mr. O'Connell; I shook him by the hand, and told him I should be off immediately by the mail, and told him that I was sure he would have good success.

1577. Are you quite clear in your memory as to Mr. Raphael having stopped in his carriage and told you that he had been to Mr. O'Connell?—I am perfectly clear upon that point; there is no circumstance that I am better acquainted with than that fact.

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1578. Did you, in consequence of that communication, go to Mr. O'Connell?—I did, immediately, and saw Mr. O'Connell, and had a few minutes conversation with him, in which he told me that all was satisfactorily concluded with Mr. Raphael; he also mentioned to me that he had exceeded my authority a little; that he had pledged himself to Mr. Raphael; that in case of there being but one liberal candidate returned, that candidate should be Mr. Raphael and not myself; I immediately answered, that he might promise him that with very great ease, for if we returned one we should certainly return two, and I was perfectly willing to enter into that pledge.

1579. Did Mr. O'Connell mention any other terms in respect to which he had departed from or exceeded the authority you had given him to arrange with Mr. Raphael?—Not at that time.

1580. Did you afterwards learn any thing upon that subject?—I afterwards found out many weeks afterwards that he had gone further in his arrangement with Mr. Raphael than I had contemplated; but it did not originate in his exceeding his authority, or in his supposing that he had exceeded his authority, but in some misapprehension, as I understood, of what my meaning was when I proposed the terms to him.

1581. Will you state to what particular condition in the arrangement your remark refers?—It refers to the introduction of the word petition into the arrangement between Mr. O'Connell and Mr. Raphael.

1582. Do you mean the word petition in reference to the second 1,000*l.*?—Yes.

1583. In what manner did you express yourself to Mr. O'Connell on the subject of the arrangement which he reported to you he had made; did you acquiesce or disapprove?—I acquiesced when I came to be acquainted with it; I was not acquainted with it until several weeks after the return, but as soon as I saw it I entirely acquiesced; that is, I said that it could not be helped.

1584. Did you feel bound by what Mr. O'Connell had adjusted?—I felt myself completely bound, though I considered it a mistake.

1585. At the time you left him on Sunday, was it your understanding that the arrangement had been made in conformity with what you had suggested?—Yes.

1586. You mentioned having met Mr. Raphael in some square; in what square was it?—In Berkeley-square.

1587. Was he in the carriage alone, or was there any body with him?—There was a lady with him.

1588. Had you, prior to this time, had any communication with Mr. Raphael upon the subject of his becoming a member of that Carlow committee, which was to have the distribution of the funds?—I cannot say that I had; it is most probable that I had; I cannot say I spoke to him of becoming a member of our association, but it was most natural that I should have done so.

1589. You say Mr. O'Connell was to keep this money till called for, merely that he was the banker of the money?—Until called for.

1590. How soon after this time was any application made to Mr. O'Connell upon the subject of money; was he required to furnish any funds?—I believe that no application was made to him that he should furnish any particular portion of the money.

1591. Will you look at that letter, and tell the Committee whether you received that letter in the course of post—[*a letter being handed to the Witness*]?—Yes, I received that letter from Mr. O'Connell in the course of post.

1592. Did you afterwards receive any sum of money by the post from Mr. Fitzpatrick?—I received immediately afterwards, I think the next day, a sum of money from Mr. Fitzpatrick.

1593. Is that your acknowledgment, returned to Mr. Fitzpatrick, of the receipt of it—[*a paper being handed to the Witness*]?—Yes.

1594. Is that Mr. Fitzpatrick's letter that covered the remittance—[*another paper being showed to the Witness*]?—This is Mr. Fitzpatrick's letter.

1595. Did you, on the day after you received the first letter that was put into your hands, relating to a remittance of 500*l.*, receive that letter with the bill enclosed, which I now hand to you?—Yes, this letter I received on the 16th, from Mr. O'Connell.

1596. Did you receive that bill at the same time—[*a paper being handed to the Witness*]?—That bill I received, I see my endorsement upon it.

1597. Did

1597. Did you immediately discount that bill?—I sent it to my banker's by the same night's post.

1598. Had you credit for it?—I had by letter, received the next day.

1599. Is that the banker's letter to you, acknowledging the receipt, and giving you credit for it—[*a letter being handed to the Witness*]?—Yes.

1600. Do you happen to know whether Mr. Ayre, upon whom that bill is drawn, is an agent conducting pecuniary transactions for Mr. O'Connell?—I have heard so.

[*A Letter, dated Thursday, Clarges-street, from Mr. O'Connell to Mr. Vigors, was read, as follows:*]

My dear Vigors,—I send to Fitzpatrick this day a draft for 500*l.*, to be remitted to you; let me hear from you so soon as you receive this: I will make you a further remittance to-morrow. The letter I got from Fitzpatrick this day is very discouraging; he tells me that success is exceedingly doubtful, at least that is the result of his communication to me. I need not say how impatiently I will await your reply. I am guarantee to you for the terms you required from Raphael, and guarantee to him for your part of the contract. To-morrow I will write to you again; it will be a grievous blow to me if the evil anticipations of Fitzpatrick be correct; he almost persuaded me by his croaking from sending you this money, but I feel myself pledged to you to send it. I am sure no exertion will be spared on your part to procure success. Lord Duncannon's son wrote to the tenants of his property, expressing a strong wish that they should vote for both the popular candidates. He told me so himself, and the only reason why the letter was written by the son is that the father being a peer could not interfere. The draft for 500*l.*, which I sent to Fitzpatrick for you this day, *is at sight*; he will send you down bank notes on your voucher.

Believe me to be, very faithfully yours,

Daniel O'Connell.

1601. Did you receive that under a frank?—Yes.

1602. Have you got the envelope?—I cannot say that I have.

1603. Mr. O'Connell refers to the croaking of Mr, Fitzpatrick; what were your prospects then?—They were most particularly brilliant.

1604. Mr. Fitzpatrick was in Dublin?—Yes, and my answer, you will observe, to Mr. Fitzpatrick mentions our prospects.

[*A Letter, dated June 13th, from Mr. Fitzpatrick to Mr. Vigors, was read, as follows:*]

Sir, 27, Eccles-street, Dublin, June 13th, 1835.

I have the honour to transmit you (*vide* the first page) a bank order, amount 500*l.*, confided to me by Mr. O'Connell for that purpose. You will have the kindness to acknowledge its receipt by return of post; and if any service can be rendered *here*, as regards the Carlow election, I shall be happy to undertake its effectuation, not only for the good cause generally, but in an especial manner for a gentleman to whom that cause stands so much indebted. I have the honour to be, Sir, your faithful servant,

P. V. Fitzpatrick.

[*A Letter from Mr. Vigors to Mr. Fitzpatrick was read, as follows:*]

Dear Sir, Carlow, June 14th, 1835.

I this morning received your letter enclosing an order on the Carlow provincial bank for 500*l.* To-morrow we commence our contest, with every prospect of success. It will be a hard struggle, but the result will be by no means doubtful. Our majority will be from 30 to 60. I have written to Mr. O'Connell by this night's post, to inform him of our bright prospects, and shall daily communicate our progress.

I am, dear Sir,
Your obliged faithful servant,

N. A. Vigors.

1605. Did you get that 500*l.* in bank notes, according to the terms of the order?—Yes, I got the order cashed at the provincial bank.

[*A Letter, dated Friday, from Mr. O'Connell to Mr. Vigors, was read, as follows:*]

My dear Vigors, London, Friday.

I sent you yesterday, per Fitzpatrick, 500*l.* in cash. I now inclose you my bill for 300*l.* at 61 days, which any banker will cash. I include the discount. You will thus have 800*l.* out of the first 1,000*l.* of Raphael's money. I am responsible to you for the remaining 200*l.*, and for another 1,000*l.* in the event of success. You shall have them on demand. I will to-morrow send you Raphael's qualification, lest it should be required.

In haste.

N. A. Vigors, Esq. Faithfully yours,

Daniel O'Connell.

N. A. Vigors, Esq.

4 March 1836.

1606. Was this bill ever returned to you, or after you had credit for it at your bank, did you hear any thing more of it?—I never saw it or heard of it till the present moment.

Mr. Serjeant *Wilde*.]—This is a bill, dated June the 12th, 1835, drawn by Daniel O'Connell upon Joseph C. Ayre, of Eccles-street, Dublin, and is for the sum of 304*l.* sterling, at 61 days. It appears to be endorsed by Mr. O'Connell, and the endorsement is, "Pay to the order of N. A. Vigors, Esq.," and afterwards an endorsement, "Pay to Messrs. Ball & Co., bankers. N. A. Vigors."

[*The same was delivered in.*]

[*A printed Letter, dated 25th of June, was read, as follows:*]

Sir, Dublin, 17th June 1835.

We are favoured with your letter of 16th instant, inclosing first halves of notes 300*l.* and bill, amount 304*l.*, which shall be placed to the credit of your account, the former on receipt of second halves.

We are, Sir,

N. A. Vigors, Esq., Carlow. Your most obedient servants,

J. B. Ball & Co.

1607. After your leaving London, did you receive those letters from Mr. Raphael—[*Three Letters were handed to Mr. Vigors, which he examined*]?—I received those letters.

[*A Letter from Mr. Raphael, addressed to Mr. Vigors, dated the 11th of June, was delivered in.*]

Mr. Serjeant *Wilde*.]—The early part of the letter refers to his duties as sheriff, in procuring the respite of a convict, and then it proceeds:

[*An extract from the Letter was read, as follows:*]

It is out of my power to be with you prior to the election, but in the event of my being returned for your independent county, I shall certainly pay my honest constituents an early visit, to thank them *vivâ voce* for the honour conferred upon me. I am in constant communication with Mr. O'Connell; in his letter of to-day he says, all well, quite well, in Carlow. I have only to add this, I shall be most happy to hear from you as often as you could spare to write to me. I wish I could frank this. Yours most faithfully,

Alex^r Raphael.

[*A Letter from Mr. Raphael to Mr. Vigors, dated the 15th of June, was read, as follows:*]

My dear Sir, Great Stanhope-street, June 15th, 1835.

I received this morning, as I had hoped, your kind and cheering letter, by which I find mine of the 11th has not reached you. I again regret to say that it is impossible for me at this time to absent myself from my official duties, nor does Mr. O'Connell whom I left only a few minutes ago, think there is any necessity. But I have made up my mind, in the event of being returned the proud member for the county of Carlow, to leave London during the course of this month, to thank my patriotic constituents individually and collectively for all their kind exertions in my favour. I know your time is very precious, but I need not say that only one line from you every morning during this critical period will be considered by me as an act of kindness on your part. If I can be of any service to you during your absence from home, you may command it.

Believe me, yours very faithfully,

N. A. Vigors, Esq. *Alex^r Raphael.*

[*A Letter from Mr. Raphael to Mr. Vigors, dated June 16th, was read, as follows:*]

My dear Sir, Great Stanhope-street, 16th June 1835.

I am rather disappointed at not hearing from you by this day's post, which I shall attribute to the little time you have to spare from your anxious and fatiguing exertions in our joint and, I trust, successful cause. In yesterday's Globe was the following passage, which I have extracted, and send you for your perusal, to make any use of it which you may think proper: "It is a curious fact, that the two candidates now opposing each other for the representation of Carlow county (Mr. Raphael and Mr. Kavanagh) should have been school-fellows together at the same Catholic school in the vicinity of London." I certainly was at school with two Kavanaghs, brothers, and I regretted much to hear that they had changed their religion, and the more so as at school we were great cronies.

Believe me, my dear Sir, yours very faithfully,

Alex^r Raphael.

1608. Did you also receive that letter from Mr. O'Connell in the course of post?—[*a letter being handed to the Witness*]?—Yes, I did.

[*A Letter from Mr. O'Connell to Mr. Vigors, dated the 15th of June, was read, as follows:*]

My dear Vigors, London, 15th June 1835.

I enclose you Raphael's qualification. If demanded, it is to be handed to the sheriff, no matter who demands it; all that is necessary is to give it to the sheriff. I also enclose you the description of Mr. Raphael for his return. He carefully reminded me of our engagement, that if but one liberal could be returned, he is to be the man. This certainly is the fact. Get a communication made to any person selling an estate in Carlow to let me have the particulars. How I long for your success. Pray, pray let me have daily bulletins.

Ever, my dear Vigors, most faithfully yours,

N. A. Vigors, Esq. *Daniel O'Connell.*

1609. On whose behalf did you receive those two sums of 500*l.* and 304*l.*?—On behalf of the liberal committee.

1610. By whom and how were those sums disbursed?—Some portion of it was paid by myself towards some of the legal expenses, some others of the legal expenses, the payment of the inspectors and clerks, were paid by the hands of Mr. Welch, my agent. I gave him the money; some of them were paid by cheques upon Dublin for my bankers; the cheques I gave to the same Mr. Welch; some I gave to the persons themselves.

1611. Were the sums disbursed by you?—There were some disbursed immediately by myself.

1612. And who besides yourself disbursed a portion of the money?—There was a certain portion of it I handed to Mr. Fitzgerald, who paid several of the bills for entertainments and matters of that kind.

1613. Is that the gentleman who acted as secretary for the Carlow committee?—Yes.

1614. Had Mr. O'Connell any thing to do with the distribution or application of that money?—Nothing upon earth.

1615. You proceeded to the election and were returned, and subsequently to that a petition was presented?—Yes.

1616. In consequence of that petition, did you and any other of the members af the Carlow committee come to London?—I was in London at the time.

1617. Did any of the Carlow committee come to London?—Several of them.

1618. Do you recollect when first after you returned to London, subsequent to the election, any application was made to Mr. O'Connell for any portion of the money that was in his hands?—Not until the 28th of July.

1619. By whom was the application then made; was it made by you or by your authority?—It was made by my authority; at that time we wanted the money to pay part of the petition expenses, and I desired the secretary of our club, who was acting for us, to apply to Mr. O'Connell for a sum that was then wanted, which was about 300*l.*

1620. Mr. Fitzgerald you say?—Yes.

1621. Will you tell me whether you know any thing about that cheque being received on the 28th of July?—This cheque was received in consequence, and was handed to me by Mr. Fitzgerald.

Mr. Serjeant *Wilde.*]—This is one of the cheques that was proved by the banker's clerk when here.

[*The same was delivered in, being a cheque drawn on Messrs. Wright & Co., dated 28th July* 1835, *by Daniel O'Connell, Esq. on behalf of N. A. Vigors, Esq. for* 300*l.*]

1622. Were any subsequent applications made to Mr. O'Connell for the balance of the 2,000*l.* which had been paid to him by Mr. Raphael?—Before we applied for a balance we applied for another sum, I think 200*l.*

1623. Was that cheque, dated the 3d of August, received in consequence—[*a cheque being handed to the Witness*]?—I think it was the cheque I received.

[*The same was delivered in, being dated the 3d August* 1835, *drawn on Messrs. Wright & Company by Daniel O'Connell, Esq. for election expenses for* 250*l.*]

N. A. Vigors, Esq.

4 March 1836.

1624. Who was the person that you directed to make application to Mr. O'Connell upon the subject of this money, as you required it?—Mr. Fitzgerald, the secretary.

1625. Was any other person authorized by you or by the committee to call upon Mr. O'Connell for those monies, or was he the only person?—He was the only person.

1626. Had any question arisen upon the hearing of the former petition against Mr. Wallace and Mr. Blackney, as to opening the registry of that time?—Yes.

1627. Had the committee refused to do so?—Yes.

1628. Do you remember the ballot for the committee upon this last petition against yourself and Mr. Raphael?—Yes, I do recollect it.

1629. What day did that take place?—The 28th of July last year.

1630. Had you any communication with Mr. Raphael upon the subject of that petition, before the day of ballot of that committee?—Yes, a good deal of general communication.

1631. Will you state the general nature of those communications?—It was with reference generally to the attendance on the committee-day, the number of members that would be down.

1632. Did you confer with him upon the subject of your petition, and your prospects and expectations?—Yes, I explained to him that it was the same petition that was successfully opposed in 1833 upon the same grounds; and I believe that the petition was nearly similar in substance, at least there were the same allegations.

1633. What opinion did you entertain and express as to the probable success of that petition before the ballot?—That I had every hope of success, if we got a committee that would try it as fairly as the preceding one.

1634. Were your hopes raised or depressed after the ballot?—Most considerably depressed, annihilated; not depressed, but annihilated; I had no hope at all.

1635. Did any question arise before that committee as to the opening the registry, and how was it determined?—A question rose as to opening the registry, and the committee determined on opening it.

1636. Do you recollect enough to say whether that determination was to open it generally, or to open it with regard to votes that had been objected to at the registry?—It was not opened generally; it was opened only with regard to votes that had been objected to at the registry of 1832.

1637. Had there been any difference in the conduct of the opposing parties at that registry with regard to taking the objections; on one side were they more active in taking them, or were they equally active?—There was a material difference, which operated to the disadvantage of the liberal cause, when this provision was added to the opening of the registry. In the general registry of 1832, the liberal party had taken no objections, unless upon very strong grounds, such as flagrant cases; the general principle was to extend the franchise as liberally as possible, and I myself, as chairman of the committee that regulated that matter, had given instructions to our counsel and agents to oppose no man who had the shadow of a franchise, and the consequence was, that generally speaking very few were objected to; some few were objected to by individual freeholders of the county, but none by us, with one or two flagrant exceptions, I can scarcely say that even those existed; but few certainly were objected to by the committee itself.

1638. What was the course taken at that registry by the opposing party in politics?—Almost every man who was a Catholic was objected to, and every man, I believe there was no exception, that was supposed to belong to the liberal party.

1639. Did you feel that you were in a state of disadvantage from that opposite course taken by the two parties at the registry, one urging objections as far as they could, and the others not interfering?—Considerable; before the committee we were under considerable disadvantage.

1640. After that determination did you confer with Mr. O'Connell and your counsel as to the probable effect of that determination upon the petition?—I conferred with my counsel particularly, and with Mr. O'Connell generally, but I cannot say that I had any particular conversation with Mr. O'Connell—I had general conversation with him on the subject, and with my counsel particularly.

1641. What

1641. What was the view you then took under the advice of your counsel of the probable result of the question?—That it would be much wiser for us to resign at once and allow our majority to be knocked off, and the members who petitioned to come in; and to save the other votes which most probably would be struck off, to the injury of our cause in the county.

1642. Was that the opinion formed after the consultation with counsel?—Yes, it had been formed indeed previously, but was confirmed by consultation with counsel.

1643. Will you do me the favour to bear in mind your communications with Mr. Raphael after the presenting of the petition, upon the subject of that petition and its prosecution prior to the 4th of August. Will you give a detail of what passed?—I have already stated the nature of our general conversations up to the striking of the committee, that is on the 28th of July. On the 28th of July, as soon as I saw the constitution of the election committee, I referred immediately to my own committee, to the liberal committee, the composition of that committee, and we all agreed that our case was hopeless; the same night I saw our counsel and he rather confirmed, indeed he perfectly confirmed our own opinion that the best course was immediately to resign to save ourselves further expense and to save the county certain loss; and my immediate object then was to come into communication with Mr. Raphael to let him know this decision. The same night, on returning to the House of Commons from my counsel's chambers, I saw Mr. Raphael and took an opportunity to make an attempt to communicate this decision to him, but he would listen to no observation of mine upon the subject; he stated that the whole of the conduct of the petition he left to Mr. O'Connell, and that he would not interfere, while I urged the necessity of coming to some decision, that he must at once hear us and confer with us, and we must decide what course we should take, but he would not do so; he referred me again and again to Mr. O'Connell, and then I stated that it was necessary that Mr. O'Connell should have an interview with him, to which he assented; the object then was to have an interview between him and Mr. O'Connell and myself, in order that the substance of what I had wished to communicate to him should then be communicated to him through Mr. O'Connell, as he would not listen to it from me, and after various attempts to bring about an interview from the 29th and 30th till the 2d of August, various delays ensuing on the part of Mr. Raphael, on the 2d of August there was an interview between Mr. O'Connell and Mr. Raphael, but it was merely to make another appointment on the 4th of August; on the 4th of August was the first opportunity that Mr. Raphael would allow us to have to communicate our decision and our prospects at the moment to him, from the 28th of July to the 4th of August.

1644. In that interval, between the 28th of July and the 4th of August, had the committee proceeded to discuss some of the votes; had they struck off any?—They had gone as far as opening the registry, and I am not quite certain whether they had gone as far as striking off a vote, but I believe they had.

1645. Had your estimate of the result of the petition altered at all between the 28th of July and the 4th of August, or did you continue equally despondingly?—My own opinion was not altered; it was the same on the 28th of July as it was on the 19th of August, when the decision was given. My own opinion never varied from beginning to end, but was confirmed by every day's proceeding.

1646. You said that you had thought it better to submit to the majority being reduced in a committee than expose the county to loss; what loss did you mean?—There were a very considerable number of voters, a class of voters that came under one head, and if one of whom was to be knocked off, all the others would be equally so, as we were given to understand. There were, I think, 70 depending upon a legal point.

1647. Did you mean the loss of votes being struck off when you referred to the loss of the county?—Yes, a loss of votes upon the registry.

1648. Who was the Parliamentary agent employed in resisting this last petition that we are now speaking of?—Mr. Baker.

1649. By whom was Mr. Baker employed?—By myself.

N. A. Vigors, Esq.

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1650. Had Mr. O'Connell any thing to do with the employment of Mr. Baker?—Nothing in the world.

1651. Do you know at that time whether any matters had occurred of pretty much notoriety in the House of Commons, to occasion a difference between Mr. O'Connell and Mr. Baker?—Yes.

1652. On whose behalf did you employ Mr. Baker?—On behalf of the then sitting members; in point of fact, on behalf of the Committee who were conducting the case for the sitting members.

1653. In the name of the sitting members, but under the sanction of the committee?—Yes.

1654. Will you state what took place on the 4th of August between Mr. Raphael, yourself and Mr. O'Connell; where did the meeting take place?—At the Westminster Reform Club, 24, George-street.

1655. What took place upon that occasion?—Mr. O'Connell opened the conversation by stating the hopelessness of the case, that it was completely lost, and he stated the decision of the Carlow independent committee, that it would be better to resign at once, without incurring further expense or sacrifices of votes on the part of the county, and suggested to Mr. Raphael whether we should not then resign at once, or whether we should go on until the 1,000*l.* was expended; the 1,000*l.* which we had determined to appropriate to the expenses of this petition. Mr. Raphael acquiesced in general in the justice of our remarks, in the truth of the statement that was made of the hopelessness of the case, and the justice of resigning, but at the same time he held out prospects, or inquired whether there were not prospects, of protracting the defence to a lengthened period, whether it might not be protracted, in fact, until the prorogation of Parliament; in which case he stated his anxiety to continue the defence; that he would give any sum if it could be protracted to that period. In referring to the prorogation of Parliament, he thought that he could retain his seat during the vacation, until the report would be submitted to the House of Commons on the ensuing session, and thus that he would retain his seat for nearly six months; this was merely a speculation of his, a suggestion of his, whether it might or might not be so protracted, but he came, after a good deal of conversation and speculation on those points, to a decision that he himself would undertake the whole of the expenses of protracting the defence beyond the 1,000*l.*, day by day, and that he would at all events protract it for a day or two, for the purpose of seeing what the chances were of still further protracting it. On that understanding we left him, and the meeting broke up.

1656. Was there at that meeting any suggestion, either by Mr. Raphael or by yourself or Mr. O'Connell, of any prospect or probability of the ultimate expense?—Not the smallest.

1657. Was any other reason suggested for protracting the defence or resistance to the petition, except the hope of continuing the seat for some limited time?—No other reason; the only reason was that of protracting it day by day, in hopes that something would occur. It was stated, I must say, that the death of the King might take place. Such matters as those were suggested.

1658. The chances by delay?—Yes.

1659. What did you say to that?—I stated that, as far I myself was concerned, it was perfectly immaterial to me whether I remained a nominal member or not; I believe I stated that I would not give 1*s.* or 5*s.*, or such a paltry sum, to remain a member for a longer time; that I had no wish to protract it on my own account, but that I could not enter into the feelings of others.

1660. What was the agreement you came to respecting the second 1,000*l.*, and respecting its application?—The agreement that we had previously come to, and which, of course, was referred to then, was that that 1,000*l.* should go to the expenses of the petition; that was understood by Mr. Raphael himself, that the second 1,000*l.* was to go to the expenses of the petition then pending.

1661. Was it understood that it was expended, or that a proportion still remained?—That a proportion still remained.

1662. It was stated that Mr. Raphael should take upon him the expense of protracting the committee beyond that 1,000*l.*?—Yes.

1663. Did he make any claim for that 1,000*l.*?—No, I mentioned the fact to him; he understood that it was to be expended on the petition, and he made no observation that I recollect further than referring to the fact.

1664. Did

1664. Did Mr. Raphael at that time make any objection to the course which you proposed to take, and which you have just stated?—The course that was proposed to be taken originated with himself; it was his own suggestion; that is, that he would continue the contest for a day or two longer, in order to ascertain what chances there were of protracting it still further, in order to look out and see what further means there might be of following it up.

1665. Did Mr. Raphael at any time in that conversation call upon you or Mr. O'Connell to go on further at your expense in resisting that petition?—No; he perfectly acquiesced in the justice of giving it up on our own account, but he voluntarily resumed it from that moment.

1666. As far as your knowledge and judgment was concerned, did you at that time entertain the slightest idea of being able to resist the petition with success?—Certainly not; the only object that I saw in the defence was protracting, but not ultimately succeeding.

1667. What was the effect of the further resistance to the petition; was it beneficial or injurious to the county in regard to the state of the registry?—In point of fact, it was injurious to the county.

1668. To a great extent?—Yes, if we had resigned at first we should have had our majority struck off, that was 56 votes; but by protracting it as we did, in consequence of this determination of Mr. Raphael, there were, I think, 104 votes struck off; the county was injured in the difference between 56 or 57, I do not know which, and 104.

1669. You have mentioned a certain number of votes that depended upon one question, will you state the nature of that question?—It was a legal point; the amount was 70; the freeholders that had their leases granted to them immediately on the passing of the Reform Bill by myself; they were signed on two days, the 17th and 18th of September 1832, and the registry commenced in October 1832, so that they were not in possession of their leases for six months before the date of the registry. A question arose at the registry whether they were entitled to the franchise in such a case. It was argued at considerable length before the then registering barrister, who decided in favour of the franchise, and registered all the men.

1670. Do you recollect upon what ground it was argued that the possession of the lease was sufficient; was any thing said about a previous contract for a lease?—Yes, it was argued by my counsel that they had been in possession of an equitable title though not a legal title; and again there was reference made to the Act of Parliament, which declared in express words, that they were to be in possession of the premises, not of the tenure, six months previous. Upon that point it was argued and decided by the barrister.

1671. That the parties having been in possession under a previous contract, the lease then executed operated back to the time of the contract?—Yes.

1672. And there were 70 votes depending upon that point?—Sixty-eight was the exact number.

1673. From that 4th of August who did, in fact, take the conduct of the petition, or of the resistance rather?—Mr. Raphael.

1674. Do you know whether such an assistance as was in the power of the Carlow committee was afforded to him?—Every assistance, of course.

1675. With regard to the expense of sending for witnesses, who regulated that subsequently to the 4th of August?—Subsequent to the 4th of August, Mr. Raphael took the superintendence of all the witnesses, sent orders for them, and regulated the expenses of all the witnesses.

1676. Had you an opportunity of seeing and knowing whether Mr. Raphael was in communication with any of the members of the Carlow committee besides yourself?—Yes, with several, the Rev. Mr. Tyrrell and Mr. Maher; these two clergymen in particular he was in most confidential communication with all the time.

1677. From what transpired, can you say whether Mr. Raphael was aware that they were acting as members of the Carlow committee acting for the county?—I introduced them to him as members of the committee; I introduced Mr. Fitzgerald as secretary of the committee; I introduced several of the others who were here as witnesses at the same period as members of the committee.

1678. Did Mr. O'Connell in any respect interfere in that petition, except in conversing with you and Mr. Raphael when you applied to him?—The only time when

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when Mr. O'Connell at all interfered was on the 4th of August, when he communicated his decision, and made the statement which I have given.

1679. You have mentioned that Mr. Raphael declined listening to the communications which you wished to make to him, did you send him any letter?—Yes; when I found that he would not listen to myself, I thought that he would receive a letter that would explain the nature of our case, and I requested our agent, Mr. Baker, to write him such a letter; that letter was handed, I understand, to Mr. Raphael by Mr. Baker himself.

1680. Will you state what passed only between you and Mr. Raphael; did Mr. Raphael speak to you upon the subject of that letter?—He did; I received that letter from the hands of the door-keeper; how it came into his hands it is not for me to state, but it was the letter which I had instructed Mr. Baker to write; I took the letter and offered it to Mr. Raphael, and he said it was Mr. O'Connell's business, just as he had before, and desired me to hand it to Mr. O'Connell; he would not read it nor receive it at all.

1681. You say the committee came to a determination on the 28th; when was the application made to Mr. O'Connell for the balance of the 2,000*l.* which he had received?—I cannot state the date, but it was considerably after that period; it was towards the middle of August I believe.

1682. You say that Mr. Fitzgerald was the person directed to make that application; had any application ever been made to Mr. O'Connell up to that time for money, which had not been immediately complied with?—Not one; when the money was wanted we applied to Mr. O'Connell and immediately received it; I remember that the first application made to Mr. O'Connell was as he was going up the steps of the House of Commons, and he came and wrote a cheque at the moment for the first 300*l.* at the window.

1683. When the application for the balance was made by Mr. Fitzgerald, did you, in consequence of that application, receive those two bills, and are they indorsed by you—[*the same being handed to the Witness*]?—Yes.

1684. Were those two bills paid to Mr. Baker?—Those two bills were handed by me to Mr. Baker in the first instance.

1685. At the time that Mr. Fitzgerald made the application by your desire to Mr. O'Connell and brought back those bills, what message did he bring back with those bills?—Mr. Fitzgerald brought me those bills, and he stated that Mr. O'Connell wished to know whether I would have those bills or cash; if it was equally convenient to me he would give me those bills, but that he would give me cash if I wanted it.

1686. Did you require cash?—No.

1687. Did Mr. Baker make any objection to receive those bills?—Not the slightest; I saw that they were similar to that which I had received in Ireland, and which I handed to my banker, and for which I got cash; at the moment it was the same to me as a bank note.

1688. Was any objection ever made, or did any delay or difficulty arise from your having bills instead of money?—Not the slightest.

1689. Was Mr. Raphael called upon, to your knowledge, to advance a single shilling, in consequence of those bills being given instead of money?—Certainly not.

1690. Were you party or privy, directly or indirectly, to any agreement that any portion of that 2,000*l.* should be applied to any other than legal expenses?—Certainly not.

1691. In that answer, do you include the application of such surplus as might remain to the protection of the freeholders?—In the original negotiation with Mr. Raphael and the proposal I made to him, I included the application of the last 1,000*l.* to the support of certain freeholders.

1692. Explain what you mean by support?—When the demands were made upon them contrary to the customs of the country, for what is called in Ireland a back half-year's rent, it was the practice of the landlords, immediately after the elections, to press upon them; and then it was our object to give the tenants certain assistance, by lending them money to meet those demands and law expenses that were consequent upon those demands; such support as that was the object of the fund.

1693. To your knowledge, was that a previous stipulation, or offer or understanding come to with any voters, that any such assistance should be afforded to them?—No previous understanding; it was against the subsequent persecution

alone

alone that we supported these men; we never anticipated such matters or spoke of them; it was the men under persecution whom we supported; but there was no previous stipulation.

1694. Had you the means of ascertaining who those men might be, supposing such a state of things to arise?—We considered generally that there would be a persecution, but we did not know the particular instances.

1695. Whatever might be the application, was Mr. O'Connell in any respect a party?—He was not in any respect a party to the application of the money.

1696. Who was your counsel in the prosecution of the petition against Mr. Bruen and Mr. Cavanagh?— Mr. Serjeant Merewether and Mr. Austin.

1697. Do you happen to know how soon after your opponents prepared for another contest?—As soon as the decision of the committee was given our counsel was retained for our opponents.

1698. Did that induce you to anticipate a contest at the next election?—Yes, and we immediately followed the same course, and engaged their counsel.

1699. Did you receive that letter from Mr. Tyrrell in the month of August 1834—[*a letter being handed to the Witness*]?—Yes, I received that letter from Mr. Tyrrell.

[*The letter dated the 17th of August 1834, was read, as follows:*]

Sir,—You will oblige me very much by forwarding the enclosed, and the one for Margate to be franked. I fear we cannot get any good from our friend Raphael, and that he is so fickle there is no dependence upon him; he promised faithfully he would come over, but when it came to the point he had not time, but says he has not given up the idea of coming some other time, but from what I hear since I came, the Tories are getting all powerful.

I beg with respect to remain your very obedient servant,

To N. A. Vigors, Esq. *John Tyrrell.*

1700. Up to the election immediately after the Reform Bill, had the county of Carlow been represented usually by gentlemen of liberal politics or conservative politics?—It had been generally represented by families which are now what we call conservatives, not however at the election immediately previous to the Reform Bill.

1701. Had you been put to any expense in the creation and support of that interest, upon which you were ultimately returned, in attending to the registry and other matters of that sort?—I was put to very considerable expense from the period of the Reform Bill, by reason of the registry that ensued after the Reform Bill. I attended that registry and subscribed largely to it, in fact conducted the whole of the registry for very nearly three months.

1702. Did you incur any expense in behalf of the petition against Mr. Bruen and Mr. Cavanagh?—Yes, I incurred very considerable expense in all the various proceedings which were connected with the independence of the county.

1703. You say that the sum was mentioned in consequence of Mr. Raphael desiring to know the maximum of his expense?—Yes, that brought me to mention the particular sum in all our negotiations with him, but particularly n that referred to on the 27th of May.

1704. Was any objection ever made to his still taking his own expenses and disbursing them himself?—He objected to any disbursement of any kind.

1705. You have received a sum of 804*l.*, have you got an account of how you disposed of that sum? Just look at that account and tell me if that is the account—[*the Witness examined an account which was handed to him.*]

Chairman.]—This was the first 800 *l.*

Mr. Serjeant *Wilde.*]—It contains the whole sum.

Chairman.]—You have not put the three bills in evidence yet.

[A bill, drawn June 12th, 1835, by Daniel O'Connell, esq. upon Joseph C. Ayre, esq., for 304*l.*, payable 61 days after date, and indorsed "Daniel O'Connell, N. A. Vigors, W. B. Ball & Co., and John Wood," was delivered in.

Another bill, dated August 14th, 1835, drawn by D. O'Connell, esq. upon Joseph C. Ayres, esq., for 399*l.*, payable at 91 days after date, and indorsed "N. A. Vigors, Thomas Baker," was delivered in.

A third bill, dated 14th August 1835, drawn by Daniel O'Connell, esq. upon Joseph C. Ayres, esq., for 275 *l.*, payable at 61 days after date, and indorsed "N. A. Vigors, Thomas Baker, James Maher, Messrs. Molloy & Morgan," &c., was delivered in.]

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1706. Mr. Serjeant *Wilde*.]—You hold an account in your hand; for what sum does that account give credit; does it give credit for 2,025*l.* 18*s.*?—Yes, it gives credit for 2,025*l.* 18*s.* to Mr. O'Connell.

1707. Is the first sum that is credited 500*l.*?—Yes.

1708. Under date of June 14th?—Yes.

1709. Is the second sum, dated June 16th, 301*l.* 18*s.*?—Yes.

1710. Is that the produce of the bill when discounted?—It is.

1711. Is the next the amount of the check that has been read, 300*l.*?—Yes.

1712. Is the next the amount of the check for 250*l.*?—It is.

1713. Do those sums, with the two bills, form an aggregate of 2,025*l.* 18*s.*?—Yes, I take it for granted that they do.

[*The Account was read, as follows:*]

Dr *Nicholas Aylward Vigors*, in Account with the £.2,000 Fund of *Alexander Raphael*, to the Carlow Election. *Cr*

1835.	Receipt:	£.	s.	d.
June 14th.	Received from Mr. D. O'Connell, by payment through Mr. Fitzpatrick, in order on sight, at the Provincial Bank in Carlow. *See* Voucher (A.)	500	–	–
June 16th.	Received from Mr. D. O'Connell, in a letter (Voucher B.), a Draft on Ayres of Dublin, at 61 days, for 304*l.*, which Draft was transmitted same night to Ball & Co., Vigors' Bankers at Dublin, who credited his Account on the 17th; 304*l.*, Discount, 2*l.* 2*s.*	301	18	–
July 28th.	Received (through Mr. Fitzgerald), a Cash Cheque on Wright & Co., Bankers, London	300	–	–
August 3d.	Received (through Mr. Fitzgerald) a Cash Cheque on Wright & Co., Bankers, London	250	–	–
August.	Received (through Mr. Fitzgerald) a Draft at 61 days, on Mr. Ayres of Dublin, subsequently paid to Mr. Baker	275	–	–
August.	Received (through Mr. Fitzgerald) a Draft at 91 days, on Mr. Ayres of Dublin, subsequently indorsed by Baker to Rev. Mr. Maher	399	–	–
	£.	2,025	18	–

1835.	Disbursement:	£.	s.	d.
June 22d to August 10th.	Payment of divers Election Accounts, by Cheques on Dublin. *See* Bankers' Account, Extract (I.)	267	17	–
June.	Payments in Carlow, by Cash	54	19	–
June.	Clerks and Writers, by Cash, in Carlow	45	17	6
June.	Cash paid to Mr. Fitzgerald, on account of Election Expenses	268	10	–
June 20th.	Cash paid to Mr. Maher, on account of Election Expenses	130	–	–
	See Voucher (AA.) £.	767	3	–
June.	Assessor's Fee disputed, and Action now pending at risk of further cost	50	–	–
June.	Disputed Bills unpaid, 91*l.* 10*s.*, estimated at	70	–	–
	See Voucher (BB.) £.	887	3	–
July 28th.	Cash Cheque paid to Mr. Baker	300	–	–
August.	D. O'Connell's Bill paid to Baker	275	–	–
	By divers payments to Mr. Baker	425	–	–
	£.	1,887	3	–
June, July, August.	To divers petty Expenses at Election, and during Petition, not vouched	138	15	–
	£.	2,025	18	–

	£.	s.	d.
Received of Mr. O'Connell, as per above, in all	2,025	18	–
Nov. 18. Paid by Cheque on Ball & Co., Dublin, Mr. O'Connell, for overpayment	15	–	–

	£.	s.	d.
Receipts	2,025	18	–
Expenditure	2,025	18	–

1714. Have you an account of such disbursements as you individually paid?—I have furnished Mr. Parks with it.

1715. Will you take it in your hand—(*the Witness examined the same*); to what amount did you disburse yourself as distinguished from the sums you paid over to other persons to distribute?—I cannot exactly distinguish those which I disbursed myself; I can give the statement which is here before me.

1716. Is that a statement of your own disbursements?—It is a statement of my disbursements to individuals and agents who disbursed them elsewhere.

1717. Will you state how you disbursed those sums as far as you were concerned?—The first item is No. 1, 267*l.* 17*s.*

1718. That is under the date of June 22d, 1835, to August 10th, payment of divers election accounts; is that the item?—Yes.

1719. Have you an account, No. 1, which details the particulars?—Yes, those are the legal expenses.

1720. Does that account contain a detail of the items of which the 267*l.* is composed?—It does.

1721. Do you know anything of the fact of such payments being made as are charged in that account?—Yes, I know that the greater portion of those I paid myself, or that they were paid in my presence to the inspectors and the agents.

1722. Will you look through the account and tell me whether in that account of the detail of the 267*l.* 17*s.* there were any sums which were not paid by yourself, or in your presence?—No, there are none which were not paid by myself, or in my presence; they were paid by checks in my own handwriting and handed over immediately.

1723. Will

1723. Will you read the items?—Rogers, inspector of booth, 15*l.* 15*s.* Bates ditto, 15*l.* 15*s.* Sheriff of Carlow (see also receipt) 50*l.* 3*s.* Tierney, inspector of booth, 15*l.* 15*s.* Charles Welch, sub-agent, "it says 10*s.*, it ought to be 10*l.*" Frayne, inspector of booth, 15*l.* 15*s.* Meagher, ditto, 15*l.* 15*s.* Then here is "discount of bill on Ayre," that is the bill to which you refer, 2*l.* 2*s.* P. M. Murphy, counsel, 50*l.* Mara, inspector of booth, 15*l.* 15*s*, Morning Register, 5*l.* Pilot newspaper, 5*l.* Grainge Chapel (donation), 5*l.* Fitzgerald, 20*l.* Maher, 25*l.* 12*s.*

1724. What for?—This 25*l.* 12*s.* was paid for some small sums, bills which Mr. Maher had paid. "Fitzgerald, 10*l.*," that makes 267*l.* 17*s.*, that is, if the 10*l.* which is put here as 10*s.* is correct.

1725. I observe the name of Maher and the name of Fitzgerald, were the sums attached to those names paid to those gentlemen to discharge certain small bills?—No; the sums here to Fitzgerald were on his own account; the sums to Mr. Maher were for some small bills which he paid.

1726. On what account was money paid to Mr. Fitzgerald?—For his own services.

1727. Did he come over to England to defend the petition?—This was for the election expenses alone.

1728. Can you state, or will the other gentlemen be able to state; here are certain names, here is cash paid James Young, 1*l.* 19*s.*, and cash paid to Thomas O'Neil, do you know for what services they were paid?—Those sums were paid for board and lodging for the freeholders during the time of the election.

1729. You say those sums were paid either by you or in your presence, who was the person that made the payments and settled the accounts with those persons?—Those sums that I have just read over were paid either by myself or by Mr. Welch, the agent. I believe you have the wrong account; the sums which I have just read over, for which I am responsible as having paid them over by checks, were paid immediately by myself, or by Mr. Welch in my presence, to certain persons.

1730. On what account were those payments made; for what services?—Rogers was an inspector of a booth; he was one of our legal staff; Mr. Bates was another; the bill of sheriff of Carlow was for the expense of booths and incidental expenses.

1731. The sheriff's charges?—Yes, Tierney was an inspector of booth.

1732. Do you mean by that the professional agent attending at the booth?—Yes, Charles Welch was agent immediately under our head agent; and I must state that our head agent, Mr. Welch, acted gratuitously on this occasion; to his brother, who came to assist him, we gave certain sums which you will see here. Frayne was an inspector of booths; Meagher was another inspector of booths; that is five inspectors of booths. Mara was another inspector of booths, there were six inspectors of booths. P. M. Murphy was our counsel upon the occasion. The "Morning Register" was for advertisements; in the morning paper "Pilot Newspaper" was another advertisement; "Graigue Chapel" was a donation given at the moment of victory; generally those expenses are incidental to Members coming in; Fitzgerald was a donation by myself.

1733. Did he render any services incident to the election?—He was the chief agent in point of fact; Maher 25*l.* 12*s.*, this was for the disbursement of small sums; he will account for that.

1734. You have gone over all the items of that account?—Yes, 267*l.* 17*s.*

1735. That forms the first item of the general account, of which you have given the detail; the next sum is "payments in Carlow by cash 54*l.* 19*s.*," do you know any thing of that?—Yes, those were payments that I made myself.

1736. Have you got the detail of them?—There is Molloy's bill; that is a bill for entertainments; he kept a public-house; 14*l.* 19*s.*

1737. Entertainment of whom?—Freeholders' board and lodging who came in to vote. O'Neill's bill is the same; this I gave him on account at the moment of election; while it was going on, I handed him myself 20*l.*; and the third account here, which is "Welch, sub-agent," refers to the same gentleman to whom there was the previous sum of 10*l.* given, which is entered in the banker's book; the subsequent sum, of 20*l.*; I gave him in cash.

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1738. On what account was that paid to him?—For his services; travelling expenses, &c.

1739. You have mentioned the items which form the sum of 54*l.* 19*s.*?—Yes.

1740. And each of those payments you made, or saw made?—I made those myself; those were paid in cash.

1741. The next is in June 1835, "clerks, writers, before the election, 45*l.* 17*s.* 6*d.*," what do you know about that?—Those were paid partly by myself, and partly by a gentleman, to whom I before referred, Mr. Welch.

1742. Will you mark those that were paid by yourself, and distinguish those who were paid by Welch?—This is the original document.

1743. What is that original document?—This is the document that was drawn out at the moment of payment; I drew it out myself as containing the names of all the persons, the poll clerks and the different messengers.

1744. Were the names of the persons in the account really employed in that election and paid the sums that are set against their names?—Yes; I distinguished those that I paid myself by my own writing "P^{d}," and others are in the hand-writing of Mr. Welch, the gentleman to whom I referred.

1745. Has that account, which you are now speaking of, any distinguishing mark?—There are those marks that I mentioned; "P^{d}" is added to them all, with the exception of one with a +.

1746. Those with the mark "P^{d}" did you pay?—Not all.

1747. What distinguishes those that you paid from those which he paid?—Those that he paid are in his handwriting, and therefore I can distinguish.

1748. Will you give us some means of ascertaining which payments are by you, and which are by him; do they follow consecutively?—No; his are a short "P^{d}," mine is rather a free one.

1749. Will you mention the sums that you paid?—The entire of this page was paid by myself.

1750. The whole of the first page?—Yes.

1751. Mr. *Warburton.*] It would save time if the witness would mark those that he paid himself?—[*The Witness marked the account.*]—Those with a + were paid by Mr. Welch, the others were paid by myself.

[*The Account was delivered in, and read, as follows:*]

	£.	s.	d.	£.	s.	d.	
Inspectors.							
P^{d} Mr. Mara	15	15	–	–	–	–	N. A. V.
P^{d} Mr. Bates	15	15	–	–	–	–	N. A. V.
P^{d} Mr. Meagher	15	15	–	–	–	–	N. A. V.
P^{d} Mr. Fraine	15	15	–	–	–	–	N. A. V.
P^{d} Mr. Tierney	15	15	–	–	–	–	N. A. V.
P^{d} Mr. Rogers	15	15	–	–	–	–	N. A. V.
				94	10	–	
Poll Clerks.							
P^{d} Mr. Gorman	3	–	–	–	–	–	N. A. V.
P^{d} Mr. James Dillon	3	–	–				
P^{d} Mr. Ivers	3	–	–				
				9	–	–	
Tally Clerks.							
Mr. William Dunne	3	–	–				
P^{d} Mr. Sullivan	3	–	–				
P^{d} Mr. Maher and Deputy	3	–	–				
Deputy, 1*l.* N. A. V.							
				9	–	–	
Qualification Clerk.							
P^{d} Mr. Holland	2	–	–	–	–	–	N. A. V
				2	–	–	
£.				114	10	–	

1752. Did

Messengers. — *N. A. Vigors, Esq.*

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		£.	s.	d.	
	Rulho.				
Pd	Whelan +	1	–	–	
Pd	Loughlin +	1	–	–	
Pd	Nowlan +	1	–	–	
	Id East.				
Pd	Feular +	1	–	–	
	Causfield	1	–	–	
Pd	Pat Neal +	1	–	–	
Pd	Tom Maher	1	–	–	N. A. V.
	Id W.				
Pd	Kinsela +	1	–	–	
Pd	Headon +	1	–	–	
Pd	Shea +	1	–	–	
Pd	John Walsh +	1	–	–	
Pd	John Walsh	1	–	–	
Pd	Richd Nuson +	1	–	–	
Pd	John Fielding +	1	–	–	
	Mich. Gorman	5	–	–	N. A. V.

1752. Did you furnish the money?—Yes; and the items that I furnished Mr. Welch money for are them in November.

1753. That is the third line in the general account; will you turn to the 14th June, "Cash paid to Mr. Fitzgerald, on account of election expenses, 268*l.* 10*s.*;" did you furnish that sum to Mr. Fitzgerald?—I did.

1754. Was it furnished to Mr. Fitzgerald for the purpose of his applying it to the payment of election expenses?—Yes.

1755. The next item is, "Cash paid to Mr. Maher on account of election expenses, 130*l.*;" did you furnish the sum for that purpose?—Yes; of that 130*l.*, 120*l.* were election expenses, and 10*l.* a donation for the poor of Carlow.

1756. Do those items that you have already gone over amount to 767*l.* 3*s.*?—Yes.

1757. The next sum is, "Assessor's fee, disputed, an action now pending, at risk of further costs, 50*l.*;" is that a sum that you have retained to meet the consequences of such action?—Yes.

1758. Is the action now depending?—Yes.

1759. Why has it not been paid?—I dispute it, because I think I have no right to pay.

1760. Was this assessor appointed at the request or with the concurrence of the candidates?—Certainly not.

1761. Is that the ground upon which you object to pay it?—Yes.

1762. The next sum is, "Disputed bills, estimated at 70*l.*, the amount of the demand being 91*l.* 10*s.*;" is that a sum which you have retained till those bills are adjusted?—Yes.

1763. Has such a claim been made to you, amounting to 91*l.* 10*s.*—Yes.

1764. And you are willing to pay 70*l.* out of it?—Yes.

1765. The three next sums of 300*l.*, 270*l.* and 425*l.* are payments of Mr. Baker; were those payments made on account of the petition?—The 1,000*l.* was paid to Mr. Baker on account of the petition.

1766. And those three sums constitute that 1,000*l.*—Yes.

1767. Have you paid, or do you know of the payment, of any petty disbursements during the election; here is a sum of 138*l.* 15*s.*?—There was a considerable sum, amounting to much more than is mentioned there, that was paid during the election, of which I have no memoranda.

1768. Just describe the nature of those payments?—Messengers, travelling expenses, carriages and various expenses of that description, donations to persons who were drawing our carriages, gratuities for tar barrels and bon-fires, and various matters of which I have no memoranda.

1769. You did not take receipts from the gentlemen who drew the carriages?—No, certainly not.

1770. Have you paid a larger sum than 138*l.* 15*s.* on that account?—I should say certainly that I had paid more for the election of 1835 than the 1,000*l.* although I cannot exactly say the sum.

1771. Sir *F. Pollock.*] Who prepared the general account that has now been

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been handed in?—I furnished all those items myself, and those I also furnished.

1772. Who prepared the account in its present shape?—I prepared the items of the account, and it has been drawn out by a clerk.

1773. To whom did you give the materials?—To Mr. Parkes.

1774. Did you furnish him with the vouchers for all the different receipts and disbursements?—I furnished him with all those that I had in my possession.

1775. You have been, I believe, taken by my learned friend through what is called the credit side, I want to call your attention to the debit side; it is much more important; the debit side is the amount of what you received from Mr. O'Connell?—Yes.

1776. The credit side states the manner in which you disposed of it when you got it?—Yes.

1777. The first item on the debit side is that 500*l.* the draft or letter at sight, which is referred to in the correspondence to-day?—It was a draft at sight.

1778. The next is the sum of 301*l.* 18*s.* which I presume is the money into which you have turned the bill of 304*l.*?—Yes.

1779. The discount is charged two guineas, which would just reduce the 304*l.* to 301*l.* 18*s.*?—Yes, but the sum is not exact; it was not discounted till three weeks afterwards, as I find in my banker's book, the discount would have been 3*l.* or more, but it was discounted on the 4th of July; it would have been more if it had been discounted on the day on which it was presented.

1780. Did you debit yourself with 301*l.* 18*s.*, being the amount which you got in cash?—It was the net produce of that bill.

1781. And that bill is produced?—Yes.

1782. On the 28th of July, the next item is 300*l.* which is the check that was produced by Messrs. Wright's clerk, have you seen it here to-day?—Yes, I saw it.

1783. The next is also a check of the same kind for 250*l.* and that voucher was produced to-day?—Yes.

1784 The next is a draft at 61 days for 275*l.* on Ayre, that is produced to-day?—Yes.

1785. And the next is 399*l.* at 91 days?—Yes.

1786. No discount was allowed on either of those as they stand in the present account?—No; no discount allowed upon any.

1787. You paid a sum of 15*l.* back to Mr. O'Connell?—Yes.

1788. Have you that?—I have that account, which is now before you.

1789. Could you get that check upon Ball & Co.?—I can write for it; this is the entry.

1790. Is this the original, or a copy of it?—This the original account upon the bankers to me.

1791. You produced an original account from the bankers, Nov. 18, D. O'Connell, 15*l.*?—Yes.

1792. Where did you draw that?—It was in Carlow.

1793. Upon Ball & Co.?—Yes.

1794. Where do they bank?—They are bankers in Dublin.

1795. This is the day when the money was paid?—Yes.

1796. When did you pay it; how long had you drawn the check before?—Some days before, I was in Carlow at the time; it was at the time when Mr. Fitzgerald made up his account, and let me know that I was indebted that sum to Mr. O'Connell, that that sum was overpaid.

1797. Then the account must be made out balancing itself exactly to that 15*l.*?—Mr. Fitzgerald must have balanced it.

1798. Have you the account?—No, I took his word for it; for I find that there is a little more coming to Mr. O'Connell, at least so Mr. O'Connell says.

1799. When did you go to Carlow?—I went over there previously to the October registry, I went over in October.

1800. Did you draw a cheque and send it by the post, or did you give the cheque to Mr. Fitzgerald?—I drew a cheque, and enclosed it in a letter to Mr. O'Connell.

1801. And now you have no recollection on what day you did that?—I cannot state what day it was; it was previous certainly to this date, but the

day

day I cannot say; that entry guides me as to the last day on which it could be drawn, but I cannot say the day previous.

1802. Can you say whether it was drawn a day or two, or a fortnight, or a month previously?—I should say that it was within a month; it was in the month of November I should say most certainly.

1803. What time in the month of November?—I cannot say.

1804. Was that the time when you settled, or professed to settle, the account with Mr. Fitzgerald?—I would not say, it was certainly at the time when we were making up our account, and I asked Mr. Fitzgerald how much was due to Mr. O'Connell. Previously to this, Mr. Fitzgerald had mentioned that there was a sum that Mr. O'Connell gave to me; I knew there was an overpayment, but the exact amount I was not aware of; in fact, many bills were not paid, and I did not settle this till this month of November.

1805. What bills do you mean were not paid?—Many of the Carlow bills.

1806. Do you mean the Carlow bills of expenses?—Yes.

1807. Will you just attend; your returning to Mr. O'Connell a surplus on account of his giving you more than you had a right to ask for, could have nothing to do with the expenses?—No; but the payment of some of those bills brought me to the payment of another; the settlement of the account with Mr. Fitzgerald brought me to settle an account with Mr. O'Connell; one followed, though not immediately from the other.

1808. Can you by looking at this account yourself, recollect from any other payment at the same time on what day it was that you settled that account with Mr. Fitzgerald?—I cannot; I see the date of it; this is the only document I have to ascertain at all what date; I have nothing in my own recollection which would at all fix it, except the date of the payment of the cheque.

1809. What date is that?—The 18th of November; it can be ascertained to certainty by sending for the cheque.

1810. Will you do that?—Yes.

1811. Have you your own cheque-book?—No, I cannot say that it was a printed cheque. No, now I recollect, it was not a printed cheque, it was ingrossed on paper; I had not my cheque-book at the time; but I can ascertain what day, but not at the present moment.

1812. Have you any memorandums or vouchers, or accounts, or any other papers as to what passed between you and Mr. Fitzgerald when you came to the conclusion that you were to pay him a sum of 15*l*?—Certainly not about me, nor do I think that I can have at home.

1813. Have you any where?—No, I should think not; I do not know what clue I could have for it; the only clue I have is getting the cheque itself that determines the date.

1814. Do you recollect the interview at which you paid the 15*l*.?—I had no interview; I was writing to Mr. O'Connell.

1815. Had you no interview with Mr. Fitzgerald?—At the same time I had several interviews; I was with him almost every day, but I had no particular interview with him at that moment; I do not know that he was at all aware of my writing to Mr. O'Connell; and my writing to Mr. O'Connell had no connexion with my communicating to him.

1816. How soon after you ascertained that the sum was 15*l*. did you send the cheque to Mr. O'Connell?—I should say, when I asked Mr. Fitzgerald the question in Carlow, it was at the moment that I was going to pay Mr. O'Connell.

1817. Where was Mr. O'Connell at that time?—He was in Derrynane Abbey; but if I mistake not I directed to him at his house in Merrion-square.

1818. But you have no means of stating when it was that you received that information from Mr. Fitzgerald?—I cannot tell the day.

1819. Did you go through any account with Mr. Fitzgerald?—No, not with reference to this money; I took him at his word.

1820. You asked him, or he told you?—He told me that 15*l*. was due, and I sent it to Mr. O'Connell, and directed it Merrion-square, to the best of my recollection.

1821. Are Ball & Co. bankers in Dublin?—Yes.

1822. With whom you had then an account?—With whom I had then, and since, and at all times an account.

1823. The other side of the account, the credit you have handed in, certain papers and vouchers that may be looked at at leisure?—Yes.

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1824. How soon shall you be able to produce before the Committee this check that you drew on Ball & Co.?—By sending by to-night's post you will not hear before Wednesday.

1825. You were secretary to the Zoological Society?—Yes, I was.

1826. Was that the occasion of the meeting taking place at your house?—No, I had ceased to be secretary upon coming into Parliament. I resigned the office on the next anniversary afterwards, which was in 1833, having come into Parliament previously in December.

1827. You then came into Parliament for the borough of Carlow?—Yes.

1828. And you sat for that borough through the whole of that Parliament?—Yes.

1829. Were you a candidate at the ensuing general election after that for the county?—I was a candidate for the borough at the general election, not for the county.

1830. Then you were twice returned for the borough?—No, I was unsuccessful the second time.

1831. Who came in then?—Mr. Francis Bruen.

1832. Who were at that time the candidates for the county?—Colonel Bruen and Mr. Kavanah, on the one side, and Mr. Cahill and Mr. Maurice O'Connell on the other.

1833. Then there was a petition against the return?—Yes.

1834. By whom was that petition got up?—It was got up by the liberal committee of the county.

1835. Who acted for them here?—As agent, Mr. Baker acted for them, and I acted for them as the chairman of the committee, as their organ.

1836. The result of that petition was, that the election was declared void?—Yes.

1837. Who paid the expenses of that petition?—It was paid partly by contributions from the county, which were handed to me, and the remainder of it was defrayed by myself individually.

1838. How much did you pay individually yourself?—I cannot exactly state.

1839. About how much?—I should say beyond 700*l.*

1840. What was paid by subscription of the liberal committee or club?—I should say that I was handed the sum of 290*l.*; there was more paid by them that did not come through my hands in payment of witnesses at the other side of the channel, in Ireland.

1841 Have you any objection to state how much the petition cost altogether?—More than 1,000*l.*

1842. You say you paid about 700*l.*?—About 700*l.*

1843. When did you pay that?—At various times; but two sums I can state that I handed to Mr. Baker, one of 200*l.* and the other 300*l.*, those sums I can state at once; the others were payments of incidental expenses, that were at various times and on various occasions made to witnesses, and other incidental expenses.

1844. Did you pay any part of the expenses of the last petition?—Not a shilling; there were several incidental expenses that I paid. I paid 1,000*l.* on Mr. Raphael's account at once, but I undertook to pay nothing of the expenses of the petition. I will not say that I did not pay some, for there were a great many of the incidental expenses that I did pay.

1845. Did you pay any part of the expenses of the last petition against your own return and Mr. Raphael's?—Not to Mr. Baker, the Parliamentary agent.

1846. Not a shilling?—Not a shilling.

1847. Who did pay those expenses?—They were partly paid by the 1,000*l.* which Mr. Raphael advanced, and the remainder of them, as far as they have been paid, were by payments, as I understood by Mr. Raphael himself. I know that 1,000*l.* was paid—the 1,000*l.* which was handed to me by Mr. Raphael.

1848. That thousand pounds that you speak of as having been paid to Mr. Baker is made up of three sums of 300*l.*, 275*l.*, and 425*l.*, is it not?—Yes; but the 425*l.* I beg to explain was paid at different times to Mr. Baker.

1849. Who made those divers payments to Mr. Baker?—I did myself.

1850. Amounting to exactly 425*l.*—Yes.

1851. Is there an account of those payments to Mr. Baker?—Mr. Baker has them.

1852. Have

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1852. Have you any account of them?—No, Mr. Baker furnishes that account.

1853. I ask you whether the 300 *l.*, and the 275 *l.*, and the 425 *l.*, paid at different times, make up exactly the 1,000 *l.* that Mr. Baker received?—Yes, the 300 *l.* was paid by Mr. O'Connell's check; the 275 *l.* was the bill at sixty-one days. If I mistake not, it was 272 *l.*, and I should then say that this last sum ought to be 428 *l.*, because, as far as I make it, the bill ought to be 272 *l.*, but Mr. Baker will furnish those accounts more accurately than they are here.

1854. There is a bill for 275 *l.*?—Then there was the credit for the discounts, 272 *l.* is the net produce of this.

1855. You endorsed this to Mr. Baker?—I did.

1856. It has been endorsed by Mr. Baker to Mr. Maher?—One of the bills I begged Mr. Baker to return to me when Mr. Maher was going over to Ireland.

1857. Is that it?—This does appear to have been handed to Mr. Maher, but I should have said that it was the other bill.

1858. What for?—For 399 *l.*

1859. Take the other?—This was certainly the bill; if I had been asked which bill had been handed to Mr. Maher, I should have said the other one.

1860. Do you know how this bill came to be handed over to Mr. Maher?—Yes, the reason for taking it from Mr. Baker was this; in making up our accounts with Mr. Baker, I found,—will you allow me to say there is a mistake in this account, arising from the very circumstance that I have mentioned.

1861. What is the mistake in the account?—The mistake is this, that instead of the 275 *l.* that are here, it ought to be 399 *l.* which are retained; it is the other bill that ought to be put down to Mr. Baker's account.

1862. What bill?—One of those bills that are here.

1863. One is for 399 *l.* and the other for 275 *l.*, which of those was handed over to Mr. Maher?—I find here that it was the 275 *l.*

1864. Then if that was handed over to Mr. Maher, was it paid to Mr. Baker?—Two of them were paid to Mr. Baker; one of them I took out of Mr. Baker's hands for the convenience of paying Mr. Baker the balance of his accounts; in paying him the balance of his accounts, there was a certain sum which we had paid to witnesses, for which he had given us credit in vouchers; the difference between that sum and one of those bills was not equal to the bill itself; therefore I took it out of his hands, and paid him in cash, and handed it over to Mr. Maher; but I find that there is a mistake here, from not having Mr. Baker's account, of putting down 275 *l.* instead of 399 *l.*, as given to Mr. Maher. I am perfectly correct in the disbursements of Mr. O'Connell; this is only the mode of dealing with Mr. Baker.

1865. What is the mistake of this account, the debtor and creditor account?—I will explain at once, that this account was furnished by me yesterday morning, as a general account of my disbursements to Mr. Baker. I had not seen Mr. Baker's accounts; he had not furnished me with them, and I made a mistake in saying that it was the 275 *l.* bill that Mr. Baker retained, instead of the 399 *l.* bill; I made that mistake, and I was under the mistake till the present moment.

1866. Then am I to understand that on the creditor side of the account 275 *l.* should be struck out, and the bill for 399 *l.* put in?—Yes, and then a similar alteration should take place in the balance.

1867. A corresponding alteration should be made in the net sum, so as to make the thing square?—Yes.

1868. So that in one shape or other the 1,000 *l.* is to be made up?—The 1,000 *l.* may be made up in that particular shape.

1869. But the present particular shape is not the correct shape?—That shape is certainly not; these are not the exact items of the account, the mistake is in the two bills.

1870. Then you did not pay Mr. Baker 425 *l.* in cash, but about 120 *l.* less?—The bill was 399 *l.* instead of 275 *l.*; it was from recollection that I spoke entirely yesterday morning, when that was put down, the account being in Mr. Baker's hand.

1871. The *Chairman.*] Is the 399 *l.* without the 275 *l.* paid to Mr. Baker?—No, it stands by itself; the payments to Mr. Baker were in the first instance 300 *l.*; I have not the slightest hesitation in saying that I deducted the 275 *l.*, which I thought was the bill, from the residue.

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1872. Sir *F. Pollock.*] Have you not put down a sum of 425 *l.* merely for the purpose of making up the 1,000 *l.*?—No; I know that I had given and had a receipt for 1,000 *l.*

1873. Where is your receipt?—When I say I have received a receipt, I mean that Mr. Baker's word is quite sufficient; I do not mean that I have a regular receipt, but I have Mr. Baker's word for it, which he gave before the face of my friend who was with me; in Mr. Raphael's own letter the receipt of it is acknowledged.

1874. Then, in point of fact, you have not a written receipt from Mr. Baker?—No.

1875. Was that 425 *l.* made by enumeration of payments, which you have reason to believe you have made to Mr. Baker, or was not the charge the difference between the amount of 300 *l.* and 275 *l.*, and deducting that from the 1,000 *l.*?—I know that I have paid Mr. Baker 1,000 *l.*; I know that one sum was 300 *l.*, and I fancied that the other was 275 *l.*, and therefore I put down the sum mentioned as the residue of the 1,000 *l.*

1876. Without any reference to any actual enumeration?—With reference to nothing more than the acknowledged sum of 1,000 *l.*, which I had the power to pay. In furnishing that account to Mr. Parkes yesterday, I did not imagine that was necessary more than to show him the general mode in which it was paid; I imagined that that account would come at once from Mr. Baker, and that that would come in evidence here, and not my general statement, which was not given with the view of being entered at all.

1877. Can you now refer to the minute that you gave to Mr. Parkes as instructions by which you furnished the account?—I think Mr. Parkes will show you the items. This statement I never intended should come before the Committee; I intended to refer to Mr. Baker's statement, who is to come forward himself to explain it.

1878. When did you first see that account which has first been produced to-day?—I saw this account to-day for the first time; that is, as it appears here.

1879. I asked you at the very beginning who made the account out, and you said you furnished the particulars?—Yes, I did furnish those particulars, and I mentioned how I furnished them to Mr. Parkes, the particulars which are in dispute.

1880. Is not that account correctly made out from the particulars you furnished to Mr. Parkes?—I am perfectly confident that it was made out according to those particulars, but I said that there were some of those particulars for which I could not vouch at all; some of them I could vouch for: the whole is a general one, which I did not suppose would come in this shape to-day.

1881. Were there any other bills drawn by you upon any body, or upon you by Mr. O'Connell?—No, there were no bills drawn by me.

1882. Do you happen to know who Mr. Joseph C. Ayre of Dublin was?—I am not acquainted with him.

1883. Who was he?—I never knew any thing of him, except what I have heard since those bills were drawn, that he was an agent of Mr. O'Connell's.

1884. Were you ever at 27, Eccles-street, Dublin?—No.

1885. Do you know Mr. Fitzpatrick?—No, I never met him; the only communication I had with him was that letter, and my answer to it.

1886. But that letter was dated 27, Eccles-street, Dublin?—Yes.

1887. The same direction as Mr. Ayre's?—Yes, I understood they both lived in the same house.

1888. Do you know who he is?—I know, from general report, that he is the agent to the O'Connell fund, and the treasurer.

1889. Does that mean the tribute?—The tribute or rent, or whatever you call it; we call it the O'Connell fund.

1890. Do you know whether he has any connexion with the O'Connell brewery?—I have not the smallest idea of his connexions in any way; in fact I know nothing about him, except what I have just mentioned.

1891. Had you ever any pecuniary transaction of any sort whatever with Mr. O'Connell, except those which are disclosed in this transaction?—Never; except that I have paid him rent twice, what we call rent, 5 *l.* each time, that is all.

1892. That is the O'Connell fund, is it not?—Yes.

1893. Was the letter that was put in, the 10th of September 1834, the first time

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time that Mr. Raphael's name was mentioned to you in connexion with the county of Carlow?—Certainly not.

1894. How early did you hear that Mr. Raphael was connected with the county of Carlow in any way?—I believe it was in the summer of 1834; but my first knowledge of his being spoken of in connexion with the county of Carlow was in the spring of 1834.

1895. Can you give the date when you first met?—Indeed I cannot, precisely.

1896. When did you first receive any authority to seek for a proper candidate for Carlow?—The first time I received any authority was in December 1832, when I was commissioned by the committee to go to Dublin to treat with a gentleman that then was in negotiation with them, Mr. Wallace, the subsequent representative of the county.

1897. Was that authority continued from election to election, or had you any fresh authority upon any occasion?—I had the same authority continued on from election to election, the general authority that was reposed in me.

1898. Had you any communication with Mr. O'Connell in the month of November 1834 about the Carlow election?—I had a letter that was dated in November; I do not know the exact date.

1899. That, I believe, is the letter which you received from Mr. O'Connell, dated 26th November? [*The letter being shown to the Witness.*]—Yes.

1900. Did you receive any other letter from him about that time?—I do not remember receiving any, nor do I think I did.

1901. "First, however, you should see Mr. Raphael, and ascertain whether or not he would stand, we could secure him the county at an inconsiderable expense, say for the very utmost 3,000 *l.*; you can tell him that I will be one of the guarantees of his success if he will thus come forward as the colleague of Mr. Ponsonby;" did you, as you were directed by this letter, call upon him?—I did not conceive this to be a direction; it was more a friendly intimation.

1902. Did you go to Mr. Raphael, in consequence?—I went to Mr. Raphael, not in consequence of this, for I had intended to go to him before I received this; but I went to him, I think it was after I received this; I went about the same time, I am not sure whether it was after or before.

1903. Do you mean to say that you did not go to Mr. Raphael in consequence of receiving this letter, but because you had meant to go to him before?—This letter was one that would, of course, have corroborated me in my intentions; so far from saying that I did not go in consequence, the letter would make me more anxious to go.

1904. Did you go and see him in consequence of that letter?—I went to see him about the time of this letter, not absolutely in consequence, but I would say that my receiving this letter was one of the reasons that I did go, not the only reason.

1905. Am I to understand that you did go to see him in consequence of that letter, or partly in consequence of that letter and partly for other reasons?—Partly in consequence of that letter; it was one circumstance that corroborated me in my intention of seeing him; but at the same time I do not exactly know the date of this interview with Mr. Raphael upon this occasion, and I might have been with him previously to receiving this letter; that is, in the first instance; I had several interviews with him at the same time, and my first interview with him might have been previous to this letter.

1906. Will you state what passed between you and Mr. Raphael on the occasion when you saw him after you received that letter?—I do not like to pledge myself to particular dates, but the communications I had with Mr. Raphael in November 1834 were at various times, and whether they were subsequent or antecedent to the receipt of this particular letter I cannot say. The first meeting with Mr. Raphael, in November 1834, was at the Old Bailey, the date of that I cannot state, or whether it was before or after I received this letter.

1907. Did you ever receive more than one letter from Mr. O'Connell, containing a similar message to this first, "however you should see Mr. Raphael?"—Not from Mr. O'Connell; I did receive other letters from other parties, from the Carlow committee.

1908. Can you say how soon after you received this letter you saw Mr. Raphael?

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phael?—I cannot say the particular time that I saw him, but I saw him about the period I have mentioned.

1909. Can you say within a week?—I should certainly say that I had many interviews with Mr. Raphael about that period, before December, I should say after the 2d of December.

1910. Did you communicate with Mr. Raphael that you had received such a communication from Mr. O'Connell?—No; in the course of our communication I mentioned that I had received a communication from Mr. O'Connell.

1911. Did you show him that letter?—I did; I do now remember having shown him that letter, my attention is called to it by a particular fact.

1912. Now you may be able to tell me what passed on the occasion when you showed him that letter?—When I showed him that letter Mr. Raphael took it up in his hand and said, "Is this Mr. O'Connell's handwriting?" that is what impresses it upon my memory at once; it struck me that it was an extraordinary observation from one gentleman to another, when I gave the letter into his hand as Mr. O'Connell's, that he should question its being authentic; it struck me as such, but I did not like to take offence, and I immediately stated that that was it, and that he could see the envelope; and in point of fact such was the impression upon my mind, that not having the envelope at the moment, I brought it with me the next time I saw Mr. Raphael and gave him the letter with the envelope, in order to show that that suspicion was not exactly well founded.

1913. Do you mean to say that it was suspicion of its being a forgery, or respect for the hand-writing which he probably saw for the first time?—At the moment, it struck me as very extraordinary.

1914. But I now ask you whether you do not believe that it was respect for the writer and for his hand-writing which he was seeing for the first time, and not a suspicion that you were imposing a forgery?—It struck me as very odd, but I reconciled myself to it as being for some other reason.

1915. You say it first struck you, but you reconciled it immediately?—I was willing to reconcile it.

1916. And immediately?—No.

1917. As this meeting has brought that to your recollection, which must have been after the 26th of November, will you have the kindness to state what passed at that meeting?—This was a meeting at his own house, and subsequent to a meeting at the Old Bailey; the same proposal went on at this meeting that had been going on previously, and the same observations I made then I had made before; I cannot say exactly what they were at this meeting, but they were the same as I had proposed to him at the previous meeting, and at subsequent meetings.

1918. State, as near as you can recollect, what passed at that particular meeting in which you now remember producing that letter, and Mr. Raphael's observation upon it?—In reference to what passed upon this letter, it is by a striking circumstance that it is particularly impressed upon my memory, but the particular observations that passed at that particular meeting I cannot state more than that in substance they were a repetition of the same observations respecting the state of the county, that a dissolution was then pending, or was apprehended, that we wanted a liberal candidate for the county, and that we wanted certain sums which were necessary to pay the election expenses of the candidate, and also other expenses which are incident to the election, and other expenses for the freeholders of the county; that was the substance of our then conversation at Mr. Raphael's own house.

1919. Did you mention to him Mr. O'Connell's name, besides showing him the letter?—Yes, I mentioned his name.

1920. What did you say about Mr. O'Connell?—That I had the sanction, so far as that letter expressed it of Mr. O'Connell's; that Mr. O'Connell had no objection to Mr. Raphael, but far from it, that he gave me his approbation of Mr. Raphael by that letter; it was a guarantee to myself, that we had Mr. O'Connell's approbation. Mr. Raphael generally expressed his wish to belong to that party, and his admiration of Mr. O'Connell; and I expressed my sense of Mr. O'Connell's approval of him in consequence of that letter; that was my pledge, that Mr. O'Connell did approve of him.

1921. Did you on that occasion explain to him any difficulties of the case or the perfections of it, was it on that occasion?—On that, and on all occasions

I was

I was very free in explaining the whole of the difficulties, stating perhaps the difficulties as strongly or more strongly than they warranted.

1922. Did you on that occasion state to him the expenses which the sum of money that he was to advance was to be applied to?—On all occasions, and of course on that, if I entered into it, which I take for granted I did, I explained to him the whole of the objects to which his money or the money of any candidate would be applied.

1923. Do you mean to say that you continued to make him precisely the same communications upon the subject?—On all occasions when we entered into money matters, I explained them to him generally in the same manner.

1924. Did you enter into any explanation about money matters at the interview when you produced this letter?—I am pretty sure that I did; I stated that a certain sum would be required of a candidate, and when he wanted to know how much, I said it would not exceed 3,000*l.*; that was the sum I then mentioned.

1925. Did you state to him how much of that was to be the expense of the election, and how much for any other purpose?—I stated to him that the election expenses would be much less at that period than they had ever been before; that we should economise; and I stated in general that the election expenses would not amount to much more than 600*l.* or a 1,000*l.*; that was the tenor of my observations with regard to election expenses.

1926. In what manner was the other part of the money to be expended?—It was to form a fund, or part of a fund, for the fund was already in existence, for the support of the oppressed tenantry of the county, and for the registry and other incidental expenses arising out of the election contest.

1927. Was any part of it to be applied to pay the expenses of any election petition?—No, I should say not, for there had been but one previous election petition, which was in 1833; the expenses of which, I believe, were entirely paid—they were paid at the time. There was no talk, then, of antecedent elections, nor was there any of subsequent ones. In speaking generally upon the subject of petitions to Mr. Raphael and to other candidates, I always stated that there was a certainty of petitions, and very great expenses would ensue, but we left the evil of that day to the day itself, and the candidates would provide for those expenses when they came.

1928. How long did that interview last?—It lasted some time; I cannot positively state, perhaps a quarter of an hour to half an hour.

1929. Who were present?—Mr. Tyrrell was present on that occasion when we met Mr. Raphael at Stanhope-street.

1930. And then this letter was introduced?—Yes, I am almost sure it was on that occasion.

1931. Do you remember how that meeting came to be fixed; did you call upon him by accident?—No, it was an appointment that had been made previously, I think it was made at the Old Bailey at our previous interview; if not, it was in consequence of Mr. Tyrrell making an appointment, but whether it was an adjournment from one spot to another, or a new appointment through the means of Mr. Tyrrell, I cannot exactly state.

1932. You mentioned before, that you wished Mr Raphael himself to superintend the expenses?—Himself or some substitute for him; some agent for him.

1933. Did he not on all occasions refuse to have any thing to do with that sort of arrangement, with having to superintend the payment of the money himself?—On all occasions he seemed to be very much averse to have any thing to say to disbursement himself.

1934. Did he not say that what he wished to do was to pay the money, and let other people disburse it?—He was always anxious to have a definite sum, and when he had paid that, he would have no further trouble. He has explained to me many times, in a confidential manner, that he would rather pay a larger sum at once than several smaller sums; that he felt more unwillingness in paying small sums, be they ever so small, than large sums at once; he said he could not account for the feeling.

1935. This treaty of November ended as we have heard by his going to Pomfret?—Yes.

1936. Did you then look elsewhere?—I looked elsewhere.

1937. Who became the candidates?—The actual candidates on the day of election were, Mr. Cahill and Mr. O'Connell, as I have mentioned.

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1938. Did you apply to Mr. Cahill?—I did; Mr. Cahill had previously been at Carlow offering himself to the committee with several others, and two other gentlemen were chosen by the committee in preference to Mr. Cahill, who was a very young man: they preferred two other candidates to Mr. Cahill.

1939. Who were they?—Mr. Wallace, the previous representative, and Colonel Evans, the brother of the present General Evans.

1940. Who were, in fact, the candidates?—Mr. Cahill and Mr. Maurice O'Connell.

1941. Were they candidates in spite of the committee?—No, the others had declined.

1942. Did you make any application to Mr. Maurice O'Connell?—None; we had not time to do so.

1943. Who applied to him?—No one in fact: on the very morning of the election, on the very commencement of the contest, Mr. Wallace and Colonel Evans declined standing as we were going up the steps to the hustings; we had no candidates but Mr. Cahill, who was on the spot, and volunteered to come forward, and we were then obliged to nominate Mr. Maurice O'Connell as the second.

1944. You employed Mr. Baker in the petition which arose out of that election where Mr. Bruen and Mr. Kavanagh succeeded?—Yes.

1945. You say you met Mr. Raphael several times, and stated to him the grounds of your expected success; where did you ever meet Mr. Raphael before that petition was very nearly come to a conclusion?—I should say at his own house; I cannot tell the particular times; my meetings with Mr. Raphael were generally at his own house.

1946. How often did you see him pending that petition?—Less often than I had on the former occasions, two or three times, perhaps.

1947. Did you speak to him on the subject of assisting in the petition?—Yes, that was my object.

1948. He did not at all interfere in the petition?—No, he spoke of the risks that were run; there was no certainty, and he declined, at the same time giving us every reason to be sure of his being a candidate in case of our success; he did not discourage our going on upon the petition so far as this, that he did not in any way prevent our going on.

1949. How could he?—If we were not sure of having a candidate, we should not have been very likely to go on with the petition; he gave us every reason to suppose that, in the event of success upon that petition, we should have him as a candidate, when the seat was opened.

1950. Did you continue that petition in any degree with a view of having Mr. Raphael at the end of it as a candidate?—I should say that we certainly continued it with the expectation of his being a candidate, one of the candidates, from the encouragement which he gave us, though he would not have any thing to say to us while there was a doubt; we were certain that he would come to our terms when there was a certainty.

1951. You say you saw him on the 27th of May?—Yes.

1952. Two gentlemen named the result to you of the election committee?—Yes.

1953. Who were they?—Mr. Fitzgerald and Mr. Welch.

1954. You said that Mr. Raphael was at hand, where was he?—He was in the room where the meeting took place, in the large room.

1955. Of the Zoological?—Of the Bazaar; it was a special general meeting, convened for a particular purpose, and we had taken the room at Crockford's Bazaar for that purpose.

1956. Do you remember what day of the week that was?—I think it was Wednesday; it was the 27th of May.

1957. And you told him that there was necessity for your going over to Ireland?—Yes, immediately.

1958. Did the interview, at which he named Mr. O'Connell, take place on the Wednesday, the Thursday, the Friday, the Saturday, or what day?—The interview, on which he first named Mr. O'Connell, was the interview to which I refer on the 27th of May, between two and three o'clock.

1959. You say, he said he wished to consult his friends or friend; which was it?—Friends; that he wished to consult his friends, to inquire further into the matter,

matter, and to consult his friends; that was the substance, but I cannot say positively that those were the words.

1960. And you asked what friend?—I asked whom.

1961. And he said his friend Mr. O'Connell?—He said, immediately, Mr. O'Connell.

1962. Did he say, his friend, Mr. O'Connell, or Mr. O'Connell?—I cannot say, Mr. O'Connell;—whether he added his friend, or not, I cannot say.

1963. Did you not before say, that he said his friend, Mr. O'Connell?—I might have said it.

1964. Had you reason to know, at that time, that he had ever been in the company of Mr. O'Connell anywhere?—Not the smallest, but he always spoke of him with a certain degree of respect and admiration.

1965. Did he not speak of him with veneration, in the highest terms in which a man could speak of another?—I should scarcely use the word veneration, for I do not think that that was the feeling he had towards him, but certainly admiration.

1966. Did you at all ask him whether he knew any thing of Mr. O'Connell, as he said a few months before he had not known his hand-writing?—I understood that every one knew Mr. O'Connell, not personally, but by reputation.

1967. Had you any reason to know that he had ever been in company with Mr. O'Connell before?—I had no reason to suppose that he had or had not at that time; I have since discovered that he had not.

1968. Did you suppose that he was upon such terms with Mr. O'Connell as to make that reference to him?—No, I formed no supposition upon the matter; I thought that it was his general knowledge of Mr. O'Connell; that he knew him, as well as every man knew him; that he had that respect for him which I had myself.

1969. In point of fact, when did you go out of town?—In point of fact, I went out of town on the night of the 31st of May, Sunday the 31st. I waited from the 27th to the 31st, waiting the decision of Mr. Raphael. I should have left town certainly on the 30th if I had not waited for his decision.

1970. Was Mr. O'Connell named in consequence of the necessity of your going over, and therefore it being necessary for somebody to interfere, or did you wait till Mr. Raphael's settlement was made with somebody?—If Mr. O'Connell had not been named, I should have been not equally well contented, but I should have been contented that some other person should decide it as well as Mr. O'Connell.

1971. Were you remaining in town till Mr. Raphael should come to a settlement?—Yes.

1972. That was so?—That was the fact.

1973. Why could you not settle the matter with him yourself?—I should have been very willing to have settled with him myself, but I was better pleased that it should be in the hands of another person, and he seemed to be equally well-pleased that another person should be the arbitrator, or the person to make the arrangements.

1974. What was the occasion for there being a third party?—I know of none; he proposed a third party; he had doubts about the matter which he wished to be solved by a third party.

1975. What were the arrangements which he wished to be made by the third party?—He himself knew best what his doubts were; I had had previous negotiation with gentlemen of integrity before this, and we arranged it between ourselves. In the case of Mr. Wallace and myself, there was no go-between or arbitrator; he accepted my terms, and I accepted his; I thought the same would have taken place with Mr. Raphael, and I did make the proposal then as I had before; but he always expressed a wish to have the matter settled by a third person, to which I had no objection, of course; and when that third person was Mr. O'Connell, then I had less objection.

1976. Will you explain to me what you understood to be the use of the third person?—In the first place, the impression upon my mind was, when he wished to consult others, that he should look into the facts of the case and see the certainty of success; that is one reason that I imagined that he wished to inquire further; and perhaps it struck me, if I thought of it for a moment, that this was the chief reason, namely, that he wished to inform himself better and see whether he should have any prospect of success.

 1977. And

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1977. And did you wait in town till the result of that negotiation was known?—I waited in town till I was sure that the contract was definite and final, and was completed.

1978. Could you have gone out of town on the Sunday night, unless that contract had been definite and final?—I must have gone out of town; I could wait no longer; that was the last day I could wait; I was obliged to be in Carlow at a certain time, to carry on matters there.

1979. Did you wait then till the last moment?—Yes.

1980. When did you learn from Mr. O'Connell that the arrangement had been completed between him and Mr. Raphael, or did you learn it at all from Mr. O'Connell?—Yes; on the day on which I left town I went to Mr. O'Connell, about three o'clock, at the time when I had an interview with Mr. Raphael; he told me that he had completed all the arrangements with Mr. O'Connell; I went on to Mr. O'Connell, and he informed me of the same fact.

1981. Sir *Eardley Wilmot.*]—Are you quite sure that it was in Berkeley-square that you saw him in his carriage?—Yes.

1982. Positive?—Yes.

Lunæ, 7° die Martii, 1836.

MEMBERS PRESENT.

Mr. N. W. R. Colborne.
Lord Francis Egerton.
Mr. Bannerman.
Mr. Barneby.
Sir Ronald Ferguson.
Sir John Yarde Buller.
Mr. Ord (Newcastle.)
Sir Charles Broke Vere.
Mr. Warburton.
Sir Eardley Wilmot.
Mr. H. G. Ward.
Sir Frederick Pollock.
Mr. Serjeant Wilde.

MR. NICHOLAS W. RIDLEY COLBORNE, IN THE CHAIR.

Nicholas Aylward Vigors, Esq. was again called in; and further Examined, as follows:

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1983. Mr. Serjeant *Wilde.*]—IT appears to my honourable friend and myself that a little time might be saved by my asking a few questions about the accounts.—(*To the Witness.*) What was the amount that you received of Mr. O'Connell altogether; was it not 2,017 *l.*?—Yes.

1984. In cash and bills?—Yes.

1985. Is it 2,017 *l.* or 2,028 *l.*?—£. 2,017. 18 *s.*

1986. Was that received in cheques and bills and money, as in the account detailed, No. 2?—Yes.

[*The Account was delivered in and read, as follows:*]

No. 2.

AN ACCOUNT of Mr *Vigors*, in discharge of the 2,020*l.* 18*s.* received from Mr. *D. O'Connell.*

Dr.

1835.	£.	s.	d.
14th June. By payment at Carlow of 500*l.*, remitted through Mr. Fitzpatrick (O'Connell's agent at Dublin), in an order at sight on the provincial bank at Carlow	500	–	–
4th July. By produce of D. O'Connell's bill draft on Mr. Ayres, of Dublin, at 61 days for 304 *l.* bill transmitted by Mr. Vigors to his bankers, Ball & Co., Dublin, who credited his account with the bill, *minus* 2 *l.* 2 *s.* discount	301	18	–
28th July. By O'Connell's cash cheque on Wright & Co., bankers, London, through Mr. Fitzgerald	300	–	–
3rd August. By ditto - - ditto	250	–	–
3rd August. By produce of Mr. O'Connell's bill for 275*l.* on Mr. Ayres at 61 days, handed to Mr. Vigors by Mr. Fitzgerald	272	–	–
3rd August. By produce of Mr. O'Connell's bill, 399*l.* at 91 days, handed to Mr. Vigors by Mr. Fitzgerald	394	–	–
£.	2,017	18	–

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Cr.

	1835.	£.	s.	d.
	By payments by Mr. Vigors, made by himself at Carlow, or under his direction, as per paper No. 2 A - - - - - -	277	7	–
(2 B.)	June 20th. By payments of himself in Carlow, as per paper No. 2 B - - - - - - - - - - - -	54	19	–
(2 C.)	June 20th. By ditto, as per paper No. 2 C - - - - -	45	17	6
3—3 A, 3 B, 3 C.	August. Paid Mr. Fitzgerald, through Mr. Maher, for election bills (see Mr. Fitzgerald's account, No. 3, 3 A, 3 B, 3 C) - -	268	10	–
4—4 A.	June 22d. Paid Mr. Maher, paper No. 4, 4 A (see Mr. Maher's account) - - - - - - - - - - - -	130	–	–
	Assessor's fee in Carlow, in dispute, in hand - - - - -	50	–	–
	Bills delivered, amounting to about 100*l.* (see paper No. 5), which are admitted to the extent of, say - - - - - -	75	–	–
	28th July. Payment to Mr. Baker, by cheque on Wright & Co. - - - - - - £. 300 – –			
	August. Produce of bill paid Mr. Baker - - - 394 – –			
	August. Cash to Mr. Baker, by payment of witnesses, who gave credit to Mr. Baker for the amount - 306 – –			
		1,000	–	–
	Note.—Seventeen witnesses were brought from Ireland to attend the Committee. Mr. Vigors advanced to them respectively various sums on account of their expenses, as detailed in paper No. 6, and of which advances Mr. Vigors handed an account to Mr. Baker as part payment of the 1,000*l.*; and Mr. Baker afterwards settled with the witnesses the proper amount due to them, first deducting the payments made to them, comprising the 306*l.* above stated.			
	18th November. Returned Mr. O'Connell - - - -	15	–	–
		1,916	13	6
	By sundry disbursements during the election and petition, of various kinds, such as always occur, of which no minute account was kept, greatly exceeding the balance of - - - - -	101	4	6
	£.	2,017	18	–

1987. Does the opposite side of that amount contain a statement of the manner in which you disbursed that money?—Yes, it does.

1988. Have you certain accounts in your hand which are marked 2 A, 2 B, and 2 C.?—Yes.

[*The Accounts were delivered in and read, as follows:*]

PAYMENTS by Cheques on *Dublin*, of which Banker's Account is the Voucher.

1835.		£.	s.	d.
June 22	Rogers, inspector of booth - - - - - - -	15	15	–
23	Bates - - ditto - - - - - - - -	15	15	–
24	Sheriff of Carlow - - - - - - - - -	50	3	–
25	Tierney, inspector of booth - - - - - -	15	15	–
–	Charles Welch, sub-agent - - - - - - -	10	–	–
–	Frayne, inspector of booth - - - - - -	15	15	–
30	Meagher - - ditto - - - - - - - -	15	15	–
July 4	Discount on bill on Ayre - - - - - - -	2	2	–
–	P. M. Murphy, counsel - - - - - - - -	50	–	–
6	Mara, inspector of booth - - - - - - -	15	15	–
–	Morning Register - - - - - - - - -	5	–	–
Aug. 7	Pilot newspaper - - - - - - - - -	5	–	–
19	Graigue Chapel (donation) - - - - - - -	5	–	–
Sept. 17	Fitzgerald - - - - - - - - - -	20	–	–
Dec. 12	Ditto - - cheque handed by Maher on Ball & Co. - -	25	12	–
10	Fitzgerald - - - - - - - - - -	10	–	–
	£.	277	7	–

PAYMENTS made in *Carlow* by N. A. Vigors, vouched by Fitzgerald and Welch.

1835.		£.	s.	d.
June 20. (about)	Molloy's bill - - - - - - - -	14	19	–
–	O'Neill's bill - - - - - - - -	20	–	–
–	Welch, sub-agent - - - - - - -	20	–	–
	£.	54	19	–

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PAYMENTS made in *Carlow* after Election.

	£.	s.	d.
Clerks, &c.	£. 39	–	–
Writers, before election	6	17	6
£.	45	17	6

1989. Do those contain correct details of the amounts which are stated in the account No. 2; the first is 277 *l.* 7 *s.*?—Yes.

1990. And the next 54 *l.* 19 *s.*?—Yes.

1991. What is the third, 2 C.?—£. 45. 17 *s.* 6 *d.*

1992. You have also an amount numbered 6?—Yes.

1993. Does that contain a correct detail of the names of witnesses to whom you made payments to the amount of 276 *l.*?—Yes.

[*The same was delivered in and read, as follows:*]

	£.	s.	d.
The following witnesses were brought from Carlow to attend the Committee upon the the Carlow election, and Mr. Vigors advanced to them in Carlow, on account of their expenses, the sum of	147	4	–
And afterwards advanced to them in London, in further account	158	16	–
£.	306	–	–

The total amount of these witnesses' expenses was 510 *l.*, and Mr. Baker, upon settling with them, charged each of them with the amount advanced to them respectively, and paid them only the balance. The account and vouchers were handed to Mr. Baker.

Mr. Kehoe, Byrne, Roche, Bunbury, Nolan, A. Doran, Clowry, Hughes, Kinsella, D. Donahoe, Hanlon, Fitzgerald, T. Donahoe, Hacket, Maher, Dowling, John Kehoe.

1994. You received a cheque for 300 *l.* from Mr. O'Connell, which you stated you handed to Mr. Baker?—I did.

1995. You also received a bill for 275 *l.*, did you ever hand that to Mr. Baker?—I did.

1996. You also received a bill for 399 *l.*, did you hand that to Mr. Baker?—Yes.

1997. Did you hand those two bills to him at the same time?—Yes.

1998. Had you, prior to coming to England, engaged certain witnesses to attend the Committee upon the hearing of the election petition?—Not prior to my coming to England; but I caused them to come prior to the petition coming on.

1999. How many in number?—Seventeen.

2000. Are those the 17 persons whose names are recorded in the account you refer to, No. 6?—Yes, the names are here.

2001. Did you make any payments to those witnesses on account of their expenses prior to their arrival in England?—I ordered them to be made.

2002. Did you also make them advances when they came to England?—I did.

2003. Who ultimately settled with those witnesses the amount due to them for their expenses?—Mr. Baker settled their main expenses, which they had not received; the proportion for each which they had not received.

2004. In settling with Mr. Baker, did you charge him with any of the cash payments you had made to those witnesses?—I charged him with those payments which I made to witnesses, and he gave me credit to that amount for cash.

2005. Is that the 306 *l.*?—Yes.

2006. You have stated that you paid to him a bill of 275 *l.*; you stated on Friday that that bill had been returned to you, and which you had mistaken for the bill of 399 *l.*; upon what occasion was that bill returned to you?—It was on the final settlement of our accounts, when I showed him this balance of 306 *l.* due to me. It appeared that he had a considerable sum over the 1,000 *l.* that we all along looked to; he was to have returned me the difference, which was somewhat about 200 *l.* between the 1,000 *l.* which he was to have received, and the 1,200 *l.* odd which he had received; in those bills, in the check, and in the payment of those witnesses the sum exceeded 200 *l.*; he had not at that time cashed the bills; the bills were on the table; he asked me would I take one of those bills and give him

him cash for the difference, and I took it, and gave him the difference between the balance due to me and the 275 *l.*

2007. You had paid him the 399 *l.*; bill and cash to witnesses on his account, 306 *l.*?—Yes.

2008. That made up 1,200 *l.* with the other sums?—Yes.

2009. And he having to pay you the difference, gave you the bill as payment?—Yes.

2010. And that left some balance due to him, which you adjusted at the moment?—Yes.

2011. I observe in the evidence which was given by Mr. Hamilton an account of witnesses; there are 17 witnesses, whose names are referred to in that account as having been paid 30 *l.* as per agreement; are those the same witnesses to whom you paid on account 306 *l.*?—The same.

2012. Was there an agreement with those persons that they should receive 30 *l.* for their expenses?—Yes, after their coming over here; while in London I agreed that I should receive as expenses, at Mr. Raphael's desire, 30 *l.*; I reduced it as low as possible at his request.

2013. In the account to which you spoke on Friday, you have put down, instead of 306 *l.*, 425 *l.*; and instead of the bill of 399 *l.*, the bill of 275 *l.*; how happened that mistake?—I can scarcely say how it happened. I was drawing out the account with Mr. Parkes, and I mentioned the 300 *l.* cheque; and I mentioned secondly a bill which, when he asked me the amount, I said was one of these two bills; and I think I asked some of my friends who were present, Mr. Maher or Mr. Fitzgerald, which bill it was, and I misunderstood his answer, and put down the wrong one.

2014. Do you know that you had made up in cash payments to the witnesses the difference between the 1,000 *l.* and the bills with the cheques?—Yes.

2015. That would have been the amount, supposing that he had received the 275 *l.* bill instead of 399 *l.*?—Yes.

2016. In your account, numbered 2, you are charged as having paid certain amounts to Mr. Fitzgerald and Mr. Maher; the fourth item is the payment to Mr. Fitzgerald?—That is the fourth in the general account.

2017. And the fifth is payment to Mr. Maher?—Yes.

2018. Did you make those payments to those gentlemen?—Yes, I did.

2019. Sir *Frederick Pollock*.]—To-day you say that the payments by Mr. Baker were 306 *l.*, and not 425 *l.* as stated in the former account?—Yes.

2020. Then is the Committee to understand that the sum of 425 *l.* was not taken from any actual account of items, but was taken merely as the difference to make up the 1,000 *l.*?—Yes; having made a mistake in the amount of the bill, deducting that from the residue of the 1,000 *l.*, I gave the sum as 425 *l.*

2021. What has induced you to suppose that the bill you had given to Mr. Baker was the bill for 275 *l.*, and not the bill for 399 *l.*?—At the moment that I made up the account I could not state which of the bills it was, for I have very little recollection or no recollection upon it; and I applied to the gentleman who had received one of the bills, and I mistook his answer, or he mistook my question, and said the wrong bill in fact; I think that that was the origin of the mistake.

2022. Who was that gentleman?—Mr. Maher, the gentleman to whom I paid the 275 *l.* bill; I asked him which of the bills he received, and I mistook his answer or he mistook my question, and I put down the 275 *l.* as the bill which Mr. Baker received.

2023. Is the Committee to understand that you have yourself no personal recollection upon the subject?—Certainly, the Committee is to understand that; I could not recollect which of the two bills was handed to Mr. Maher, and remained to Mr. Baker.

2024. Was the account that you delivered in on Friday prepared with any degree of attention?—Part of it was with care and attention, with that care and attention that I have just referred to at the present moment; it was made up before Mr. Parkes in those three sums, and that mistake did occur: it was intended to have been prepared with care and attention, but it certainly was not with sufficient care and attention.

2025. You left town for Ireland on the 31st of May, by the mail?—On the 31st of May, I left London for Ireland by the mail.

2026. How soon after did you receive any remittances, and from whom?—The first

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first remittance I received was on the 13th or 14th of June; the dates are in detail before the Committee; I received a letter from Mr. Fitzpatrick, containing an order upon the provincial bank in Carlow for 500 *l.*

2027. Did you write to any one to make those remittances?—I had not written for those express remittances, but I was in communication with Mr. O'Connell on the subject, and mentioned generally that the money would be wanted about the time of the election, and mentioned the time it would be, that it was the 13th.

2028. What do you mean by being in communication with Mr. O'Connell; were you corresponding with him after you left London?—I was corresponding with him after I left London; I wrote almost every day from the 2d of June, when I arrived in Dublin, to the 13th of the same month; I was in constant correspondence; I cannot say in daily, but in constant correspondence.

2029. Did you in any letter make any application to him for a sum of money?—Not for a specific sum; I expected the money from him, and therefore there was no necessity for making the application.

2030. What money did you expect from him?—Part of the 1,000 *l.* which was to be advanced to him by Mr. Raphael.

2031. What part did you expect?—I did not expect any particular part of it, but I expected to receive what would have been sufficient for the then immediate necessity of the case; we did not want it all.

2032. How was the part settled, or was it settled, which you did receive?—I do not exactly know to what you allude, how it was settled.

2033. Was any arrangement made prior to your leaving London as to remitting money?—No, we had no particular arrangement as to it; no settlement as to the particular sums, or the mode in which it was to be sent; it was to be sent as it was wanted.

2034. Was any arrangement of any sort made between you and Mr. O'Connell, prior to your leaving London, about remitting the money?—I think not; I think no particular arrangement.

2035. Was any arrangement made of any sort, particular or general?—There was a general arrangement.

2036. What was that?—That the money would be forthcoming; I understood that he was to receive the money, and I understood that I could have it when I wanted it.

2037. Was that the only arrangement which was made before you left London?—That was the only; I could scarcely call that an arrangement, it was the understanding between us; it was no settlement or arrangement, it was an understanding.

2038. After you left London on the 31st of May, did you make any application to Mr. O'Connell, generally or particularly, for any money?—Particularly, I did not; generally, I stated that we should commence our operations on the 13th, that our election would commence then, and that we should then want money.

2039. Did you state any sum that you should want, or did he send you any sum of money that he thought proper?—He sent such money as he thought proper without my specifying any particular sum; he anticipated my wants before I asked for money.

2040. Did you make any application to him for the money in the shape of a bill at sight, or a bill at 61 days, or in any shape whatever?—Certainly not; I made no particular application to him for the money in any particular shape.

2041. Was it altogether Mr. O'Connell's act to send you the bill for 304 *l.*, which was not payable till 61 days after date?—It was entirely Mr. O'Connell's act *proprio motu*, that he sent me those two bills, one for 500 *l.*, and the other for 304 *l.*

2042. But the 500 *l.* was payable at sight, the 304 *l.* not till 61 days after date?—Yes.

2043. Was it entirely Mr. O'Connell's own act giving you a bill payable in 61 days for the 304 *l.*, instead of giving you a bill at sight as he had done in the case of the 500 *l.*?—Decidedly his own act.

2044. Did you give any previous consent to any such arrangement?—I never had any conversation on the mode of transmitting this money, or the particular sums when sending it.

2045. Probably you had neither conversation with him, nor correspondence upon that subject?—Upon that particular subject I certainly had no correspondence or conversation.

2046. Do you know why, as Mr. O'Connell had received the money himself in cash, he sent you a bill payable 61 days after?—Not at the time; I inquired afterwards; I heard certain speculations about it, but at the time I never inquired and never thought it was worth inquiring into.

2047. Do you now know why it was that Mr. O'Connell sent part in a bill payable at sight, and part in a bill at 61 days after date?—No; Mr. O'Connell has mentioned at a subsequent period to me, that sending bills was an accommodation, and he mentioned to the gentleman who got the bills from him, that he would give the money at sight if the bills were not equally acceptable to me, and I sent back word that the bills were as good to me as cash, and therefore I would receive them as cash, but at the time when I received the 304 *l.* bill, I never inquired why I received it; it was the same as cash, and therefore I received it as cash; it was sent to my bankers.

2048. When does the O'Connell fund or tribute become payable?—The time that I look out for the payment of the rent is November.

2049. Not before?—I think November is the time at which it is due.

2050. Not before, not in October?—No; the 15th of November was the date of the last payment of the O'Connell fund.

2051. When is the date of the first payment?—I dare say it is the same in all years; it was about that time last year.

2052. At what time does the money begin to come in?—I cannot say; but I know the 15th of November last year was the great day for receiving the payment; and I take for granted it was about the same the year before, and at former periods.

2053. Will you state how the two sums of 500*l.* and 304*l.* came to be fixed, rather than the entire sum that Mr. O'Connell had received?—The sum of 304*l.* was the amount of the bill of 300*l.* with what Mr. O'Connell, I suppose, considered was the interest from the time that it had to run; the bill covered 300*l.*

2054. I want to know why Mr. O'Connell remitted to you 800*l.* rather than the whole 1,000*l.*, or any other sum?—I do not know; I suppose that he thought that that sum was what was necessary at the moment for the then expenses of the election; he sent those two sums, and at the same time that he sent those two sums he expressly stated that he had received 200*l.* more, which was payable to me on demand.

2055. Is the Committee to understand that Mr. O'Connell remitted those sums upon his own judgment of what would be wanted, and not from any application on your part?—From his own judgment; I should say his words were, that he had sent one 500*l.*, and a second sum 300*l.*; this was in his letter sending me the 300*l.*, and there was still 200*l.* which you will send for as you may want it.

2056. Have you produced the letter in which that communication is made?—Yes. (Mr. Serjeant *Wilde.*)—It has been read.

2057. Sir *F. Pollock.*]—You say that letter has been read?—Yes, that letter was read; I think I heard it read on Friday last.

2058. Did you yourself apply for the cheque of 300*l.* which was drawn the 28th, and paid the 29th of July?—I did not ask for it myself; I asked our secretary, Mr. Fitzgerald, to apply for it.

2059. Did the cheque come to your hands?—The cheque was handed by Mr. Fitzgerald to me.

2060. Did you hand it over to Mr. Baker?—Yes.

2061. Were you aware at that time that Mr. Raphael had paid the second 1,000*l.*?—Oh, certainly; I should not have applied to Mr. O'Connell for it, or had application made to him for it, unless I knew that he had received it.

2062. You know nothing of the giving of that cheque beyond your sending Mr. Fitzgerald for it, and his giving it to you?—No.

2063. Did you send for any particular sum?—I did not for a particular sum; I think the words that I made use of were for about 300*l.*; I may say it was a particular sum that I did send for, that it was about 300*l.*, which we wanted.

2064. What was that wanted for?—Mr. Baker wanted it for the payment of the current expenses, the payment of counsel, and the payment of expenses that were going out of his pocket daily.

2065. Did you apply for the cheque for 250*l.*, which is drawn "pay election expenses"?—Through the same channel, Mr. Fitzgerald.

2066. Are you aware of the letters of Mr. O'Connell, which have been brought

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before the Committee, and which had previously been published by Mr. Raphael?—No, I had no cognizance of them.

2067. Are you now aware of them?—Yes, I have seen them, certainly.

2068. Has your attention been called to the letters that have been brought before the Committee written by Mr. O'Connell to Mr. Raphael, which had previously been published?—Certainly.

2069. Do you remember that in a letter dated the 26th of July, there is this expression, "You did not say to whom I was to apply for the second sum of a thousand pounds, according to your arrangement. It is necessary, absolutely necessary, that it should be paid this day," and absolutely necessary and this day are under scored. Are you aware of any necessity for the payment of the 1,000 *l.* on that 25th of July?—I am aware that expenses had already been incurred and expenses were about to be incurred; immediately on the striking of the Committee on the 28th, there would have been fees to a considerable amount; and Mr. Baker had mentioned to me that this money would be necessary, and in conversation with Mr. O'Connell I stated to him that we must have the money as soon as possible.

2070. Did you make any application to Mr. O'Connell for money?—Not directly; before the 28th.

2071. Did you directly or indirectly?—Not an application to him; I made no application to him; I had conversations with him about it.

2072. Are you aware of any necessity for the payment of the money on the 25th of July?—On the 25th of July there was no absolute necessity for the payment of the money, nor was there even on the 28th; money might have been forthcoming from other quarters, but if not necessary it was most advisable that it should be paid, that we might have money to pay our demands, as Mr. Baker wanted it; it was not absolutely necessary, as the money might have come from other quarters.

2073. Did Mr. O'Connell, when he got the money, apply more than a small part towards the expenses of the petition?—He applied that part which was actually wanted and for which application was made to him.

2074. How much was that?—£. 300. in the first instance.

2075. Is the Committee to understand that Mr. O'Connell, in every part of this transaction, was merely your agent?—I considered him throughout the transaction as my agent, that is, as the agent of the chairman of the committee, but as the agent of the committee I should say more correctly, my agent merely as the chairman and organ of that committee.

2076. Is the Committee to understand that you understood Mr. O'Connell to have been your agent on the account of the committee?—I have explained what I meant; my agent certainly not personally, but as the organ and chairman of the committee.

2077. What communication did Mr. O'Connell make to you on the 31st of May, as to the agreement he had made with Mr. Raphael?—He stated that he had made the arrangement of Mr. Raphael paying 1,000 *l.* immediately, and 1,000 *l.* on his being returned; the words were, on being nominated 1,000 *l.* and 1,000 *l.* on being returned; those were the terms of the arrangement which I had previously authorized him to make.

2078. Was that all that passed between you and Mr. O'Connell?—Not altogether; he mentioned at the same time he had gone further in his contract with Mr. Raphael than I had authorized him; that he had gone as far as to say, that if there were but one Member returned, that he, Mr. Raphael, was to be the one; and many other matters passed between us.

2079. Was there anything else?—I cannot state any of any particular importance.

2080. But in point of fact you were at the head of the poll by some accident or other?—I was; it was not by accident; there was one gentleman I could not persuade to vote for Mr. Raphael.

2081. Was that gentleman who so insisted upon voting for you alone the last person that voted?—No.

2082. Was he the last by a great many?—I do not know exactly; he was not certainly the last.

2083. Was it the first or second day that he voted?—I cannot say; I should think that he voted towards the middle of the poll.

2084. Had you no means of placing Mr. Raphael by some arrangement in the situation

situation that had been promised to him, at the head of the poll?—I certainly might have done so, but there was no necessity for it, and therefore it was not done.

2085. For instance, could you not have prevailed on many of your tenants to give plumpers for Mr. Raphael?—Decidedly; but there was no necessity for it.

2086. Did you purposely decline doing that, or was your attention not drawn to the subject?—My attention was called to it; but I thought it was of no consequence whether or not I was at the head of the poll; in case of there being any difficulty or doubt upon the occasion I should certainly have made that arrangement.

2087. Did you communicate to Mr. Raphael the state of the poll from day to day?—I think I did, either to Mr. Raphael or Mr. O'Connell; I am not certain whether I communicated to him day by day.

2088. Did you ever communicate to Mr. Raphael that he was not at the head of the poll, but that you were?—No, I do not think I did.

2089. Did you not represent to him that the numbers were equal?—I do not know; if they were equal at the time I sent him the statement he would have seen it.

2090. Did you not allow Mr. Raphael to remain in ignorance that he was the second upon the poll, and not the first, or equal with you?—I sent him the state of the poll, and if he were not at the head of it he was not in ignorance, for he had the actual state of the poll every day.

2091. Did you make a communication to anybody that you were 56 and Mr. Raphael only 55?—I did not say to any one that I was the head over Mr. Raphael; but I sent the state of the poll whatever it was.

2092. Are you aware that Mr. O'Connell's communication to Mr. Raphael was "Ultimate majority 56"?—I am aware of it.

2093. Was not that ultimate majority stated upon the authority of your communication to Mr. O'Connell?—I should say that it was stated on the authority of the printed bulletins of each day, and the reports of each day with my own representations; I believe I sent all those matters myself to Mr. O'Connell.

2094. Did you not write to Mr. O'Connell that the majority was 56, without calling his attention to the fact that Mr. Raphael was one vote behind you?—I certainly did not state anything particular as to my being at the head, or Mr. Raphael being at the head, but sent the state of the poll to him every day as it stood.

2095. When the Committee assembled on the 28th July, did Mr. O'Connell take any active part in the Committee?—Oh, yes, he was very active, as well as I recollect, in taking the names of those whose names were drawn in the ballot; he was active in the whole of the occasion; active in taking down the names, and in giving his opinion upon the Members.

2096. Did he afterwards attend the Committee at all?—No, I do not think he did, as soon as the result of the ballot was known.

2097. When did he first interfere in any way, on what occasion?—The first occasion was upon my asking him to come to meet Mr. Raphael and consult.

2098. What day was that?—He made an appointment through me with Mr. Raphael for the 2d of August at his own house.

2099. Was that appointment attended?—I believe it was; I am sure, in fact, it was from what followed.

2101. What passed on that occasion at Mr. O'Connell's house?—I am not aware of what passed, not being present, but the result of it was, that an appointment was made with Mr. Raphael for the 4th of August.

2102. You know nothing of the meeting of August the 2d; you were not present?—I was not.

2102. How came you not to be present?—I really do not know why that was, I cannot answer.

2103. Were you aware of the meeting?—I was aware of the meeting for I had been the organ of communication; I fixed the meeting, I believe, between them.

2104. Was that a meeting between Mr. Raphael and Mr. O'Connell alone?—It was; I mentioned to Mr. O'Connell that I wished that he would explain matters to Mr. Raphael; and at that meeting it was considered necessary, I understood, to have matters explained in my presence.

2105. Whenever you spoke to Mr. Raphael he disclaimed having anything to do with it, and always referred you to Mr. O'Connell?—Yes; from the time that the Committee was struck.

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2106. You were not aware of the letter that Mr. O'Connell addressed to Mr. Raphael, of the 3d of August?—At the time I was not aware of it, but I have heard a great deal of it since.

2107. When did you first hear of it?—I should say that the first time I ever heard of that letter, or knew of that letter, was from seeing it in Mr. Raphael's printed letter, some time in November, to the electors of Carlow.

2108. Before that, you had no knowledge whatever of the offer that was made to Mr. Raphael?—I had a knowledge, not of any offer made to Mr. Raphael, but I had some idea on my mind that Mr. O'Connell had some object in view, in doing something for Mr. Raphael, that might in some way have shown his anxiety to oblige him, particularly under the disappointment which he had suffered; I should say that I could almost have guessed what it was, but I had no regular intimation of it from Mr. O'Connell; when he saw Mr. Raphael in a state of great oppression and anxiety, he expressed his extreme compassion for him, and he said he was in hopes that something might be done that would be some relief to him under the circumstances of the case; that general observation took place during the period of the petition going on, and at a subsequent period, on the 28th of September, I remember the date particularly, for it was a meeting that I had with Mr. O'Connell at Bangor Ferry, or in the town of Bangor, he was changing horses and going on to Holyhead, and I was in the coach; at that period he referred again to the subject, and said, that he hoped that something might be done for poor Mr. Raphael; that what he had alluded to in London before might still be accomplished, or words to that effect.

2109. When did he first allude to that?—I think the first time was in London, some time about August, as the petition was going against us at the time, when Mr. Raphael was in a state of great excitement and depression. I cannot say that I had the smallest idea, except from my own suspicions, of what it was which Mr. O'Connell meant; I thought it might be something of the description which afterwards it appears to be; I should guess that it was his influence that he referred to, of getting a knighthood or baronetcy, which afterwards appeared; it was my own guess; I had no means of knowing anything more.

2110. What passed between you and Mr. O'Connell upon that subject?—I have already mentioned that; he stated his great feeling for Mr. Raphael at the moment, and that he thought something might be done to alleviate his disappointment, to soften it down.

2111. How early did it appear that the result of the Carlow Committee would be unfavourable to the seat of yourself and Mr. Raphael?—The very moment that the Committee was sworn.

2112. Why did you not immediately relinquish the contest?—I should have relinquished the contest if I had been the only individual concerned in it; I should have relinquished it the very day, but another gentleman was concerned with me, Mr. Raphael, who of course was to be consulted upon the occasion, and I was more particularly anxious to consult him, at all events to go on until he made his decision upon the matter, because we had already received 1,000 *l.*, which ought to be appropriated to the expenses of this petition, the sum which I found had been stipulated for by Mr. O'Connell; and therefore I thought that he should be consulted as to our continuing on any longer or not. If I had been left to my own individual decision I should have at once resigned, the very day or the very first opportunity after the Committee had been struck.

2113. Do you remember on what day the question of your own 70 tenants was decided?—I do not recollect the day; they were not among the first votes; there were several votes knocked off from other causes, before they were entered upon.

2114. Did the question of the 70 votes occur until the last three or four days of the sitting of the Committee?—It was very late; they were among the last votes; I believe they were the very last.

2115. If those votes had been sustained would not the judgment of the Committee have been different from what it was?—If those votes had been sustained most probably our majority would not have been struck off, because our majority was not struck off at the time when that discussion commenced; I cannot precisely say how it stood.

2116. Your majority was 56, and 104 names were struck off, which reduced

your majority, leaving 48 as the surplus, if your votes had been good?—That is a matter of calculation; I think my votes amounted to 68.

2117. We will take them precisely at 68; would not that have left in your favour 46?—I think it would; I suspect, then, that 36 was the number that was struck off at the time when they commenced with my votes, and mine were the very last.

2118. But until your votes were struck off could the case be considered as hopeless?—They would have gone on with others; they impugned a considerable number of our other votes on the score of insufficiency of value, which of course they would have knocked off; they took mine in the lump.

2119. However, you say that you continued the contest some days on account of Mr. Raphael being joined with you?—I continued the contest till I communicated with him; I gave directions that it should go on till we came to an understanding how it was to be carried on; I endeavoured to get that understanding as soon as possible; but as I stated, I was not able to bring about the meeting till the 4th of August.

2120. I find, about the 14th of August, two bills were obtained from Mr. O'Connell, one for 275 *l.*, and the other for 399 *l.*, the one payable in 61 days, and the other in 99 days, drawn upon a person of the name of Ayre; do you know who got them?—Mr. Fitzgerald got them.

2121. Were the bills brought to you?—They were.

2122. Did Mr. Fitzgerald make that application by your directions?—Yes, he did.

2123. What did you direct him to apply for?—For the balance, in fact, of the 2,000 *l.* of the whole money.

2124. Was any statement made of what that balance wouldbe?—No, I made no statement.

2125. Did you tell Mr. Fitzgerald about what sum he was to ask for?—No, I desired him to ask for the balance; that was made upon the assumption that Mr. O'Connell would at once ascertain it.

2126. Was your application for the balance in cash or in bills?—I made no particular demand either for cash or bills; I asked for the balance.

2127. Did you accept the bills for the balance for your own convenience or for Mr. O'Connell's accommodation, or for what other reason?—I received them with as much ease and satisfaction as I should have done the cash, Mr. Fitzgerald, at the same time, mentioning to me that Mr. O'Connell had particularly desired him to say, that if I wished for cash he would send me cash instead; I said that it was of no consequence.

2128. Did Mr. Fitzgerald state that to you when he brought you the bills back again drawn by Mr. O'Connell?—At the time when he handed me the bills he stated that circumstance to me.

2129. Were the bills drawn, as they were in that manner, for your accommodation or convenience?—Certainly not; I know not how they could be.

2130. Do you not believe that they were so drawn for Mr. O'Connell's accommodation or convenience?—I made at the time no comment upon the matter; whatever inferences I may draw now, there were certainly none made by me at the moment; or whatever inference I might have drawn from subsequent communication with Mr. O'Connell, I made none at the moment. I took it as a matter of course.

2131. Did you not at the time believe that it was for Mr. O'Connell's convenience that the bills were drawn at those dates?—I never thought on the subject; it was a speculation that never entered into my head at the moment.

2132. Do you not believe that they were so drawn for Mr. O'Connell's accommodation?—Mr. O'Connell mentioned to me since that, that he gave bills on Ireland as his money was chiefly in Ireland, and that it was an accommodation to him to give bills instead of cash, because he did not exactly wish to draw upon London when he had his cash in his banker's in Ireland, or words to that effect; he explained to me that it was an accommodation to him to draw upon Ireland instead of London.

2133. Were the bills drawn upon his banker in Ireland?—When I say his banker in Ireland, I mean his agent generally; they were drawn upon a gentleman of the name of Ayre, who I do not know to be a banker, but who was his agent at the time.

2134. Was not the bill drawn for 399 *l.*, payable at ninety-nine days, due on the

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the 26th of November, after the O'Connell tribute would come in; and was it not drawn upon the collector of that tribute?—The bill was drawn upon Mr. Ayre; whether Mr. Ayre was the collector of that tribute or not, I cannot say. The bill was drawn on a certain day, and the day on which it was due was a matter of calculation that I never inquired into, whether it was the 16th of November or any other day.

2135. Did you ever settle any account with Mr. O'Connell, giving him credit for those bills, either with or without the discount?—I never made an accurate settlement, but I understood from Mr. Fitzgerald, who had handed me those bills, that there was a surplus coming to Mr. O'Connell; that he had miscalculated the discount. Afterwards, at a future period, when I was arranging other matters referring to the election, I inquired of Mr. Fitzgerald what the sum was that was overplus, and he mentioned to me the sum of 15 *l.*; and I then made a settlement, and gave an order for that sum to Mr. O'Connell.

2136. Was any calculation made at the time that you drew the cheque for 15 *l.*; was any account gone into?—No accurate account was gone into.

2137. Were any vouchers produced?—None; my knowledge of the sum of 15 *l.* was from Mr. Fitzgerald, and he told me that that was the sum that was due; his was a rough calculation, and it came very near upon examination, I found within a very few shillings of the actual amount, deducting the discount.

2138. What was the discount upon the 275 *l.* bill?—There was, in the first place, 5 *l.* for which I was charged by Mr. Baker on the 399 *l.*; there was, in the next place, 3 *l.* on the 275 *l.*; then there was, for a certain portion of the time that the 304 *l.* was at my banker's, 2 *l.* 2 *s.* charged; then, as I calculated within this day or two, there was also a certain sum which, if I made out an accurate account with Mr. O'Connell, I should have charged him with, for the difference between the time that I sent my bill to the banker and the time that it was discounted; for that I might charge, if I was to enter into an accurate detail of pounds, shillings and pence; and upon putting the gross sums together, it would amount within a few shillings to the sum that we reckoned.

2139. Have you, within a few days past, been turning your attention to the accuracy of the account?—Yes.

2140. State to what extent that 15 *l.* was accurate?—I have stated that it was very nearly correct.

2141. Was it within 5 *s.*?—Mr. O'Connell said the other day that it was 2 *l.* odd that I still owed him, and I stated that it was not so much, because I had to charge him with a certain portion of the discount which intervened between the time I received the bill and the 4th of July; I lodged it at my banker's on the 16th of June, and it was not discounted till the 4th of July; and I said that there was a certain sum he owed me for discount for that time. It was a matter that I never would have thought of; but in taking up an account of that sort, I state that such would have been the case, that that ought to have been put down to my account if we came to pounds, shillings and pence.

2142. Did you return him the sum of 15 *l.* before the bill of 399 *l.* had actually been paid?—I do not know when the bill for 399 *l.* was actually paid; it was charged to my account long previously to that; the credit was given to me for it in Mr. Baker's account for 394 *l.*, deducting 5 *l.* for discount.

2143. How came you to return him 15 *l.* before that bill of 399 *l.* was actually due and paid?—I had nothing to say to the payment of that bill; I had only anything to say to discount which I was charged with myself by Mr. Baker some months previously to my sending the 15 *l.*

2144. Why was it necessary for you, on the occasion that you drew that cheque of 15 *l.*, to return Mr. O'Connell that money at all?—Because I understood that he had overpaid me, and that was the sum which I understood was overpaid.

2145. Was any account made out exactly showing the amount of 15 *l.*, or any money at all?—No account was made out at all; I took the amount from Mr. Fitzgerald's observation to me; I asked him how much was due, and he said 15 *l.*

2146. State as nearly as you can on what day you drew that check?—I stated the other day that I could not tell the day, although I recollected drawing that check; I stated the day when it was paid; since then I have turned my attention to it and I think I can now state the day, for it was the day on which I also wrote another letter to Mr. O'Connell; I sent him both about the same day that the date

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of the check was, the 3d of November; I cannot swear to it accurately, but that is the day which I should choose as the most probable.

2147. Was it at Mr. Fitzgerald's suggestion entirely that you returned that sum of 15 *l.*?—No; I knew that there was a sum due to Mr. O'Connell, and I inquired of Mr. Fitzgerald, who knew the matter and had conversation with Mr. O'Connell upon the subject; when paying the balance, Mr. O'Connell told him that there was something over.

2148. When paying what balance?—When giving in those bills.

2149. Did he bring back a message that there was too much?—Yes, he said that there was too much, that there was a balance due to Mr. O'Connell, that he had made a mistake in the calculation in my favour; I understood so.

2150. Do you know who fixed upon those two sums of 275 *l.* and 399 *l.*?—Mr. O'Connell, I take it for granted, as Mr. O'Connell drew the bills.

2151. Have you any copy of the agreement or memorandum, or whatever it is to be called, that was drawn up on the 31st of May and dated the 1st of June?—I have no copy of it.

2152. Did you learn from Mr. O'Connell that it had been reduced to writing?—I did.

2153. When did you so learn; did you learn it the same day?—I would state that on the same day, that is, the 31st of May, the day on which I left London, Mr. O'Connell mentioned to me that everything was settled, and definitely settled, between him and Mr. Raphael; I cannot say that he stated that it was reduced to writing.

2154. When did you first know that it had been reduced to writing?—I first knew it some time after my return from Ireland, on our return after the election; pending the business of the petition, I asked Mr. O'Connell for the exact terms, as I had understood from Mr. Raphael that there was some difference in what he understood to be the terms, and what I understood to be the terms, and then for the first time Mr. O'Connell read it to me; I saw the agreement, but I did not read it myself. Mr. O'Connell read it; the particular time I cannot say, but it was pending the petition.

2155. Mr. O'Connell read it to you?—Yes.

2156. From a written paper?—Yes, either from the document itself or a copy of it.

2157. Was Mr. Raphael present at the time?—No.

2158. Give as nearly as you can the date of that occasion when Mr. O'Connell produced what purported to be the original or a copy of it?—I cannot state at all the time.

2159. Was it before or after the Committee was struck?—I really cannot say; it was certainly some time after my return to London, and I should think about the time that the petition was actually presented; I should be sorry to bind myself to any particular date.

2160. Did you then for the first time see either the agreement itself or a copy of it?—I saw it, but I did not read it; Mr. O'Connell read the conditions to me.

2161. Did it correspond with that which has since been produced before the Committee?—I think so; it is the very identical one or a copy.

2162. Did you learn from Mr. O'Connell whether that was a copy which he had kept himself, or whether he had borrowed the original of Mr. Raphael?—I do not recollect; nothing passed upon the subject of its being a copy or the original, that I remember. It was a paper which I took to be an authentic paper, but whether a copy or original I cannot say.

2163. Are you able to state that at that time Mr. O'Connell had in his possession either the original or a copy?—Certainly.

2164. Is the Committee to understand that up to that time he never communicated to you the precise terms in writing?—Never the precise terms in writing till that time.

2165. After your interview with Mr. O'Connell on the 31st of May, did you communicate to the Liberal committee at Carlow the terms that he had made?—Yes, I did.

2166. In the event of there being no petition against your return, what was to become of the second 1,000 *l.*?—It was to have gone to the fund that we had then in existence as a fund for the support of the persecuted electors of the county, and other purposes connected with the independence of the county, such as registry, and

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and any other matters that were connected with the independence of the county.

2167. Was any part of it to be applied to pay the expenses of the petition by which Messrs. Bruen and Kavanagh had been unseated, their election being declared void?—At the period in which I went to Ireland during the election, I had not then the slighest idea that any portion of that money was to be applied to a subsequent petition. In that point I found that Mr. O'Connell had exceeded my instructions; and it was at a subsequent period, at the period which I now refer to, at that meeting in which Mr. O'Connell read to me those conditions, for the first time was I aware that the petition was mentioned. I immediately acquiesced in it. I mentioned that it had exceeded what I thought was the understanding between us; but I had no objection to it in the world, particularly as the petition was then actually pending; but previously to this, in my communication to the electors at Carlow, I had mentioned that second 1,000 *l.* was to go to the county purposes, which in my understanding was the object of it.

2168. Was any part of it to be applied to the expenses that had been incurred in unseating Messrs. Bruen and Kavanagh?—Not of that second 1,000 *l.*

2169. Was any part of the first 1,000 *l.* to be applied to that purpose?—Certainly, that was my understanding.

2170. To what extent?—The election expenses were to be defrayed in the first instance, and then the surplus of the 1,000 *l.* would have gone to the expenses of the petition that had unseated the Members; that was the understanding; I did not state any particular sum, because I did not know what the election expenses would amount to.

2171. You have stated that the election expenses would be about 600 *l.*?—I calculated that the election expenses would be about 600 *l.*; and if I had the management of the same election, I should have confined them within 600 *l.*

2172. Then there would have been a surplus of 400 *l.* to defray in part the expenses of the petition in May?—Yes, that was the understanding that I had with Mr. Raphael, and if I mistake not, I mentioned that the election expenses would not exceed 600 *l.*; at the same time, I found them exceed considerably that sum, for Mr. Raphael's reputation for generosity was such, that our bills were twice as much for it; if I had to fight my own battles, I dare say I should have fought it for 400 *l.*; but Mr. Raphael's generosity made the demands double what they would otherwise have been.

2173. Who were liable for the expenses of that petition of May 1835?—I considered myself as responsible to Mr. Baker for those expenses.

2174. Is there any doubt about that?—Not the smallest doubt; I stated to him that I would be responsible for them.

2175. Was anybody responsible to you?—I considered that the county was responsible to me; I advanced the money on the faith that the county would repay me, but with very little hopes of it; I was perfectly aware, in the first place, that they were not able to do it; and secondly, if they were, that I should not press them.

2176. Whom do you mean by the county?—The freeholders of the county; the independent popular party of the county.

2177. Do you know who were the petitioners?—They were certain electors who were resident in the town of Carlow.

2178. Robert Lalor and Miles Nolan?—Yes.

2179. Were not their names used merely for the occasion without any intention of throwing the expense upon them?—Certainly, it was matter of form, as I understood it.

2180. And I take it for granted that it was never intended that they should pay the expense in any event?—Not those individuals.

2181. Were you one of the sureties for that expense?—I think I was; myself and Mr. Blakeney, I think.

2182. Am I to understand that Messrs. Lalor and Nolan were not to pay?—Certainly, not to pay.

2183. You were examined upon your oath as a witness before that Carlow Committee; do you remember that; were you examined, and upon oath?—I was examined certainly.

2184. And upon oath?—Upon oath.

2185. Will you tell me whether you did not give the following answer to the following

following question: "We have understood that all the petitioners are shopkeepers, and men of that description?" that is the question; was this your answer: "Yes, the petitioners are men of respectability as shopkeepers and tradesmen in Carlow"?—Yes, I should make the same answer now.

2186. Then there is this question: "Do they pay the expenses of this discussion, or are they indemnified against it?" This is the answer: "I really do not exactly know that; I believe one of them has entered into a recognizance; if I mistake not, I saw his name." Do you remember giving that answer?—I do not remember the answer, but I suppose it is the answer that I gave.

2187. Now I beg particularly to call your attention to this third question and answer, "Can you tell me whether they are to pay, or whether they are indemnified by anybody?" and did not you give this answer, "I know nothing about it"?—It is probable that I gave that answer; not only probable, but I take it for granted that I did as it is in the minutes.

2188. Now I ask you this question, did you not before that Carlow Committee represent that you had nothing to do with the expenses, you were then a witness?—Not that I know of; I do not think that I was asked the question; I only know that I had made myself responsible to Mr. Baker, the agent, for the expenses, and if I was asked the question I should have answered it directly; the sureties are merely matter of form, and entering into recognizance I know nothing about, I was not aware of what the terms were; but I was perfectly cognizant at the time that those individuals would not have been called upon, or if they were *pro forma* called upon, that the expense would ultimately fall upon myself.

2189. Then how came you to state in answer to the question, "Can you tell me whether they were to pay or whether they are indemnified by anybody? I know nothing about it."—Because I knew nothing about their being called upon *pro forma* to pay, or having indemnities for them; I knew not the mode in which they were bound; but I knew the real mode in which they were bound, and that they would not have been called upon to pay; whether they would be called upon to make this petition perfect or not I was unaware; that those were matters of mere form in prosecuting the petition, the particular mode of which I did not understand; but I knew the fact to be that they would not have to pay, and that I should have to pay, though they might be called upon by their recognizances, or whatever were the terms in which they had entered.

2190. On a former occasion you stated that you did pay to the extent of 700 *l.*?—I paid to the extent of, I should certainly say, 700 *l.*; I could state accurately two sums that I paid, and others I could make a rough calculation upon, but it certainly cost me that money.

2191. On the 3d of November in last year, you addressed a letter to Mr. O'Connell?—I did, I think it is the 3d of November.

2192. On the very day that you drew that check for 15 *l.*?—I think it was on the day; I am pretty sure that it was at the same time.

2193. Just run your eye over that, and tell me if you believe that to be a copy of the letter you addressed to Mr. O'Connell on that day?—[*A letter being shown to the Witness.*]—Yes, I think it is; I have not got a copy of it and therefore I cannot compare them, but I have seen it before.

2194. I ask you this question; before you returned to Mr. O'Connell the sum of 15 *l.* by the check that you have stated, had you not seen Mr. Raphael's letter in the newspaper?—I think it is very probable this letter was in consequence of my having seen Mr. Raphael's letter, and my sending 15 *l.* was simultaneous with this letter.

2195. Then the 15 *l.* was not returned to Mr. O'Connell until you had seen Mr. Raphael's letter in the newspaper, which was dated the 20th of October, and appeared in the paper on the 31st of October?—My letter to Mr. O'Connell was written almost immediately; I do not know that it was the same day, but almost immediately on my seeing Mr. Raphael's letter.

[*The Letter was delivered in and read, as follows:*]

My dear O'Connell, Carlow, November 3, 1835.

Having seen, in one of the Dublin papers of yesterday, a letter from Mr. Raphael, of London, in which he refers to certain transactions relating to his late election for this county and subsequent petition, I do not delay a moment in stating that the insinuations conveyed against you in that gentleman's letter respecting pecuniary matters are perfectly unfounded, I make use of the word insinuations, for I see no direct charge, nor indeed can I by any

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means divine the object of the publication. The whole of the sum handed to you by Mr. Raphael, to cover the expenses of the contest in which he was returned for this county, was transmitted by you to the county, through me, to the uttermost fraction. The greater portion of the money being intended to defray expenses incurred in this country, was necesarily remitted by bills on Dublin. If it were not superfluous for me to bear testimony to the people of Ireland, in any proceedings in which your honour is involved, I would add that all the transactions between Mr. Raphael and this county, in which you acted as the mutual friend of both parties, and to all of which I believe I was privy, your conduct was the most liberal, upright and honourable.

Believe me ever yours,
N. A. Vigors.

2196. *Chairman.*]—Was this letter written without any application to Mr. O'Connell?—Yes, immediately on seeing that letter of Mr. Raphael, I wrote this of my own accord.

2197. Sir *F. Pollock.*]—I believe it is not quite correct in its details: the whole of the money was not transmitted to the county?—Through me it was to the county committee; of course I mean through me; not to the county, but through me.

2198. Was Mr. Fitzgerald aware of your writing this letter to Mr. O'Connell?—I dare say he was; I can scarcely say that he was; but it is probable that he was.

2199. Was any complaint made during the progress of the Carlow petition of July the 28th in last year, about the money having been given in bills?—I remember on one occasion Mr. Raphael and Mr. Hamilton inquiring from me about the 1,000*l.*, whether it had been paid or not to Mr. Baker, and I think I mentioned that it had been paid, that it was handed over to him by me; and upon inquiring more particularly into the matter, I mentioned the circumstance of its being partly paid in bills; if I mistake not, Mr. Raphael shrugged up his shoulders, or made some expression of disapprobation, although it was not an absolute complaint.

2200. On what occasion did that occur?—It was in the course of one of the many conversations which we had about that period, I cannot state when.

2201. You remember after the meeting of the 4th of August Mr. O'Connell did not come near the Committee at all?—I do not think Mr. O'Connell attended a Committee meeting.

2202. Did you attend it?—I attended very regularly.

2203. Did Mr. Raphael attend regularly?—After the 4th of August, Mr. Raphael attended, I cannot say at all times, but very frequently.

2204. Did not Mr. Raphael complain of Mr. O'Connell's conduct in deserting him?—Mr. Raphael two or three times complained to me that Mr. O'Connell did not treat him with the respect that he had expected, and wished for; he did not make a complaint; he stated it not formally as a complaint, but he stated incidentally in conversation that he was sorry for it, and regretted it, and found fault with it.

2205. Did he not complain that he was left to fight the battle himself?—No; what I now remember of the complaint which he made was, Mr. O'Connell treating him with a little degree of hauteur or inattention.

2206. Did he not complain that he was left to fight the battle himself?—I should say not.

2207. You say he never made any such complaint?—No, not that he was left to fight the battle himself.

2208. What complaint did he make?—That Mr. O'Connell did not treat him with sufficient attention, that was one complaint that he made.

2209. I take it for granted that he never communicated to you Mr. O'Connell's letter of the 3d of August?—Never.

2210. How soon after the 4th of August had you any intimation that something of that sort might be going on?—I cannot say whether it was before or after, but it was about that time, about the 4th of August.

2211. Do you mean to say that in this matter Mr. O'Connell acted entirely as your agent, or through you as agent, of the Liberal committee?—Decidedly.

2212. And in no respect except as agent of you, or through you, of the Liberal committee?—In no other respect.

2213. *Chairman.*]—Are the Committee now distinctly to understand from you that the 2,000*l.* paid by Mr. Raphael was expended in the legal expenses of the election, and in the defence of the petition?—Every shilling of it was expended in what I consider legal and necessary expenses, and what I am advised are legal and necessary expenses.

2214. Was

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2214. Was the 2,000 *l.* always forthcoming when you applied for it to Mr. O'Connell, and when paid in bills on long dates was there any loss or delay attending them?—The money was forthcoming the very instant it was wanted and called for, and the transaction respecting bills did not cause us to lose one single shilling of the money, nor was there loss to any individual in consequence of those bills.

2215. Was the money always transmitted through you?—The money always was transmitted to me; in some instances it did not remain in my hands for above a few minutes; in one instance a cheque for 300 *l.* was handed to me, and then handed by me to Mr. Baker, the agent, but the whole of the money went through my hands in the first instance.

2216. Did you ever give Mr. Raphael to understand that you were to subscribe an equal sum with himself in support of the election?—Certainly not; I gave him at no time to understand that I was to advance for the election any sum beyond that which I had already advanced for opening the seat; he understood perfectly well that the whole expenses of opening the seat, or the greater portion, fell upon me, and what he advanced for the election expenses they were for himself, and he perfectly understood that I would not advance anything towards those expenses, we understanding that the 1,000 *l.* would cover the election expenses.

2217. You mentioned, on Friday, having a copy of Mr. Raphael's address to the electors of Westminster, which he gave you in November 1834; have you found it?—No, I have not; he gave me several copies at that time, which I distributed among the friends in Carlow: I have not one at hand.

2218. Do the Committee understand you give the answer you gave just now, that you ever gave Mr. Raphael distinctly to understand that you were not to pay him any proportion of the expense?—I gave him distinctly to understand, that as far as the election went I was not to advance a single shilling in the contribution towards the expenses.

2219. Was the distinct understanding, that out of the first 1,000 *l.* paid by Mr. Raphael the election expenses were first to be paid, and if there was any balance it was to go to the petition that unseated Messrs. Bruen and Kavanagh in May?—Yes.

2220. That the second 1,000 *l.*, if not wanted for the petition that followed, was to go to the fund of the Carlow Liberal club?—Exactly. I would observe, that the words, if not wanted for the petition, should be omitted, for it was to go, under any circumstances, in the case of his being returned, to that fund.

2221. Do you mean that this was not merely your construction of it, but that you believed that Mr. Raphael also understood it in this point of view?—That was my construction of it, and which I meant to convey to him; whether he understood it or not I cannot exactly answer, but I intended to convey that to him.

2222. Did you consider Mr. O'Connell solely and entirely responsible for the 2,000 *l.* advanced by Mr. Raphael?—I considered that he was responsible to me for those sums, Mr. O'Connell alone having received that money.

2223. Sir *Frederick Pollock.*]—Your letter to Mr. O'Connell is dated the 3d of November?—Yes, I see it is dated the 3d of November.

2224. Where did you send the cheque to?—I sent the cheque to Merrion-square at that time. I was not certain where Mr. O'Connell was; but I knew that by going to Merrion-square it would reach him, and I sent to Merrion-square.

2225. How soon would the letter reach Dublin?—The next day; if I dated it the 3d, and put it into the Post-office, it would reach on the 4th.

2226. If that were delivered at Mr. O'Connell's house, how soon would it get down to Derrynane?—It would go off in the same night's post, and I suppose it would take two days.

2227. I see Mr. O'Connell's last letter is dated the 6th of November, in which he speaks of that sum of 15 *l.*: "I have to add that I paid Mr. Vigors at the time, and as he called for it, the entire 2,000 *l.*, not only to the last farthing, but that I actually made a mistake and overpaid him by 15 *l.*, a mistake which he soon discovered, and of course repaid me that sum;" did you send any communication to Mr. O'Connell at Derrynane that you repaid that sum of 15 *l.*?—I had no communication with him upon the subject, but the transmitting the cheque of 15 *l.*

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2228. In this letter of the 3d of November, do you remember how you addressed it?—I should say to Merrion-square.

2229. You do not say in that letter that you had returned 15*l.*?—No.

2230. Did you write two letters to Mr. O'Connell on the same day?—Certainly.

2231. One containing the 15*l.*, and the other a general statement, referring to any receipt of the 2,000*l.*?—This letter, I should say, that has now been read, I wrote to Mr. O'Connell, on the supposition that he would make use of it, and of course I sent it separate from any other letter which might pass between us; that was a letter that I did suppose it most probable that he would publish.

2232. Then is the Committee to understand that one letter was intended for publication, and the other was intended to repay the 15*l.*?—Yes, among other matters, I think it is probable.

2233. Have you any copy of that letter which enclosed the 15*l.*?—No; indeed, I have not a copy, I believe, of five letters that I ever wrote.

2234. But I read you that passage of Mr. O'Connell's letter, about your having "overpaid him by 15*l.*, a mistake which he soon discovered, and of course repaid me that sum;" is the Committee to understand that according to your view of the transaction, Mr. O'Connell would receive the account of the 15*l.* being received on that very day?—He was aware of it at the very time that he drew the bills, for he mentioned it to Mr. Fitzgerald.

2235. Was he aware before the 6th of November that you had repaid the 15*l.*?—Certainly not; he did not receive it until that moment. He was perfectly well aware that I would repay him, but not that I had done so.

2236. Mr. *Barneby.*]—Was the whole of the first 1,000*l.* absolutely paid towards the expenses of the election of 1835, or was any part of it paid towards the petition in May 1835?—I should say that the whole of it has been expended on the election alone, and considerably more than that. I should state that I cannot give the exact sum.

2237. Mr. Serjeant *Wilde.*]—I wish to refer the Committee to the letter that has been alluded to by my learned friend, which I said had been read; that letter is set out in the proceedings of the 4th, beginning, "My dear Vigors, I sent you yesterday," &c.; was your communication with Mr. Raphael limited to his being a candidate for Carlow at that particular election, or with a view to a general connexion with the county?—With a view to a general connexion with the county; in point of fact, my proposals to him were that he should identify himself with the county, and that he should purchase to a great extent, which he gave me reason to suppose that he would do. He went so far as to say, in our original communications upon the subject, that he would not only purchase estates there, but build and plant, and improve the country to a considerable extent. He stated that he would make a second Fonthill there, and he went even beyond me in his professions of anxiety to do so.

2238. Then your communications were directed to his identifying himself with the county, and being permanently a Member for the county?—Yes; I expressly referred to my reasons upon which I could ensure him the certainty of representing that county, if he realized those professions of his. I mentioned to him that it was exactly the same plan that had been pursued by the father of the present Representative of that county, the late Colonel Bruen, who had made a large fortune in the American war, came over to that county a stranger to it, as he, Mr. Raphael, was at the moment, purchased large property in the county, settled in the county, and ultimately became the Representative of that county. I pointed out to him that that was a precedent for him to act upon; and while I held out those views to him, I told him what had been realized by his predecessor in the representation of the county.

2239. After the Committee had sat upon the petition against Mr. Raphael and yourself, had you any communication with him as to his becoming a candidate for the county on a future occasion?—I had many interviews upon the subject, I and other members of the committee; we had several meetings, in all of which we expressed our hope that he would adhere to us, as we should adhere to him; that he was not to be depressed, we represented to him, by the disappointment that had taken place; that our hopes were a little checked for the moment, but that we should soon get over these obstacles, and we have done so since; and we then explained to him that he would still be more united to us in consequence of those misfortunes;

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misfortunes; that we would adhere to him more faithfully in consequence of his having lost his seat.

2240. Did you, then, leave England for Ireland after the determination of that petition?—About the 27th of September.

2241. And how near to the period of your departure had you communication with Mr. Raphael upon the subject of his being a candidate for the county upon a future election?—I had several communications with him previous to the 17th of September, but could get no definite answer from him; on the 17th of September was the last communication I had with him, and that was by a letter, of which letter I have preserved a copy.

2242. The second 1,000 *l.* was to be paid in the event of Mr. Raphael being returned a Member; had you ever made inquiry, or caused application to be made to Mr. O'Connell, to know whether that second 1,000 *l.* had been paid according to arrangement?—I had previous conversations with Mr. O'Connell upon the subject previous to the 28th of July, in which time I understood it had not been paid.

2243. Had you urged its being paid or called for?—Yes; I mentioned expressly that we must have it, or we could not well go on without.

2244. Do you happen to know whether the tribute, or rent, as it is called, the subscriptions to Mr. O'Connell, are paid at any particular time in Ireland, or at the convenience of those who are subscribers to it?—I believe they are paid at various times; the grand subscription last year was on the 15th of November, but a vast number of subscriptions came in afterwards. I have seen various accounts of meetings of subscribers.

2245. Are you aware whether there is any stated time of its being paid, or whether it is according to the convenience of those who pay it?—Generally according to the convenience of those who pay it; it is voluntary, and, of course, the time is as voluntary as the sum.

2246. Had you given, or had any other person that you know of given, any indemnity to the two petitioners whose names have been mentioned; do you know of any indemnity having been given to them?—There are certain matters of form which I do not understand, but which I believe were complied with.

2247. My question to you is, whether you had promised those persons to indemnify them, or know of any such promise having been made?—I do not know that any actual promise or indemnification was made to them; but I know that they understood perfectly well that they would not be at the smallest expense, as I understood that I should be at all the expense.

2248. And from what sources were those expenses, according to your impression, to be furnished?—They were to be paid by the county; we considered by subscription from the county, and subscriptions were actually entered into to some amount, and transmitted to me, but they fell very far short of what the expenses were likely to be, and therefore I told Mr. Baker, as we were going on, that he might look to me for the remainder.

2249. Your letter to Mr. O'Connell was written without any previous communication to Mr. O'Connell, either verbal or written?—Yes; the first impulse of my mind was to explain to him, and through him to those that were concerned in the matter, that he had not the slightest participation in the 2,000 *l.*

2250. Will you explain the meaning of your expression that the money was remitted to the county?—It was remitted, through me, to the county committee, to the independent interest of the county; if I should embody it in one expression, the county committee.

2251. Were the members of the committee at that time in London?—The greatest number were.

2252. Were they in communication with you upon the subject of that petition?—Yes.

2253. And were they aware of those payments?—Yes, every one of them.

2254. You returned to Ireland in the month of September, after the determination of the petition?—I did.

2255. Had you been in Ireland after the time you were returned with Mr. Raphael, up to the time in September when you returned again, subsequently to the petition?—No, I came over and took my seat after my election.

2256. Did you, upon your return to Ireland at the time you have mentioned, adjust your accounts with Mr. Fitzgerald?—Yes, I inquired into them, and adjusted

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adjusted those that were capable of adjustment; some still remain to be settled at a future period.

2257. He was secretary of the committee?—Yes.

2258. And was it upon that occasion that you had your communication with him upon the 15 *l.* overpaid by Mr. O'Connell?—Yes, I was in constant communication with him, and I asked him the question.

2259. You stated that Mr. Fitzgerald, when he brought you the two bills of 275 *l.* and 399 *l.*, stated that Mr. O'Connell said that he had overdrawn the amount; did he state any sum?—I do not think he did; he might, and I forget it; I wished to know the sum afterwards.

[The Witness withdrew.

Mr. *Edward Michael Fitzgerald*, was called in; and Examined, as follows:

Mr. *E. M. Fitzgerald.*

2260. Mr. Serjeant *Wilde.*]—I BELIEVE you reside at Carlow?—Yes.

2261. Did you act as the secretary of the independent interest or Liberal club there?—Yes, I did.

2262. How long have you acted in that capacity?—I think since the latter end of December 1832.

2263. Are your services gratuitous, or are you paid?—Gratuitous.

2264. From your situation as secretary of that committee, do you know whether since 1832 they have been in communication with various gentlemen upon the subject of the representation of the county?—I do.

2265. Did you ever and when first hear of the name of Mr. Raphael upon the subject of the representation of that county?—I think some time in 1834.

2266. From whom did you first learn the name of Mr. Raphael, in connexion with the county representation?—I think by a letter of the Rev. Mr. Maher, received from Mr. John Tyrrell, of London.

2267. Do you know, from your situation as secretary, whether any inquiries were caused to be made by the committee respecting Mr. Raphael?—I do; I was instructed to write to Mr. Vigors upon that subject.

2268. Do you remember Mr. Tyrrell, of London, visiting Carlow in the year 1834?—Yes.

2269. Had you communication with him upon the subject?—I had, and I know that several other members of the committee had; I think that Mr. Maher was present and several other members when Mr. Tyrrell called at the club to mention the subject to us.

2270. Did you come to England with any members of the committee in May 1835, to attend the petition against Mr. Bruen and Mr. Kavanagh?—I did.

2271. How many of the members of the committee were in attendance with you upon that business?—Five or six.

2272. Did you come over in your characters as members of that committee, and acting on behalf of the association or club?—Some came over in the character of witnesses, others as members of the committee.

2273. During the time that you were in England in attendance upon that committee did you see Mr. Raphael?—I did.

2274. Had you or had any other persons from Carlow any communication with Mr. Raphael in your presence, upon the subject of his becoming a candidate for the county?—No, not any in my presence.

2275. But you saw him?—Yes.

2276. Had you any conversation with him at all?—I think Mr. Vigors introduced me to him as the future candidate of the county of Carlow.

2277. That was during your attendance upon the petition in 1835?—It was the day that the Committee declared the election of Messrs. Bruen and Kavanagh void.

2278. Where did that introduction take place?—At the Bazaar, in St. James's-street.

2279. Where were you when you first learned the decision of that Committee?—I was attending the sitting of the Committee at the Sessions-house, Westminster, and I proceeded from that to inform Mr. Vigors of the result.

2280. And you say that he introduced you to Mr. Raphael as the future candidate; will you be so good as to state in what manner it passed?—As I told Mr. Vigors of the fact of the Committee having unseated Messrs. Bruen and Kavanagh;

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Kavanagh, Mr. Raphael approached and asked, I think, "What news from the Committee?" or something to that effect, and Mr. Vigors said, "The seat is open for any lord mayor or sheriff;" something to that effect.

2281. What passed in reference to your introduction to Mr. Raphael?—Mr. Welsh, and I think Major Bryan, were in conversation at the time, and Mr. Raphael took Mr. Vigors aside, and remained for a quarter of an hour in consultation upon the subject; before they parted, Mr. Vigors introduced me to Mr. Raphael as the secretary of the county, and Mr. Raphael to me as the future candidate.

2282. I do not ask you what Mr. Vigors said to you, but did he make any communication to you as to what had passed between him and Mr. Raphael?—Yes; he stated that he and Mr. Raphael had a conversation upon the vacancy, and that he had proposed terms to Mr. Raphael, which Mr. Raphael said he would take a day to consider of and consult Mr. O'Connell upon the subject.

2283. You returned to Ireland after that, and were in attendance during the election?—I was.

2284. Do you remember any remittances arriving from Mr. O'Connell?—Yes; Mr. Vigors showed me a draft upon the provincial bank of Carlow for 500 *l.*

2285. Were you also aware of the bill for 304 *l.* arriving?—Yes, I was.

2286. Were you actively interfering in promoting the return of Mr. Raphael and Mr. Vigors?—Very actively.

2287. And were the committee also active?—Very active.

2288. Did you come to England in consequence of the petition which was presented against the return of those gentlemen?—I did.

2289. When did you arrive in England?—I should think, some five or six days before the day of the ballot of the Committee. Mr. Maher and I came to London some few days before the other witnesses; we had some business in London.

2290. Did any of the members of that committee come to England with you?—Mr. Maher and I travelled together.

2291. Did any other gentlemen of the committee come?—A good number.

2292. Were you at any time instructed by Mr. Vigors to make any application to Mr. O'Connell upon the subject of money?—I was.

2293. When was it that you were first instructed to make an application?—I think it was the evening of the ballot, immediately after the ballot on the 28th of July.

2294. What application did you make to Mr. O'Connell?—For 200 *l.*

2295. What occurred between you and Mr. O'Connell?—He brought me to the lobby of the Members' gallery, and gave me a cheque for 300 *l.* upon his banker; I think that was the amount of the draft.

2296. To whom did you give that draft?—To Mr. Vigors.

2297. Do you know, from having been present, how Mr. Vigors disposed of that draft?—I think he gave that draft to Mr. Baker.

2298. You say your application was for 200 *l.* and you received a draft for 300 *l.*?—Yes.

2299. When next did you make any application to Mr. O'Connell?—I think some few days afterwards.

2300. What was then the application which you made?—I cannot say that I stated any particular sum that I wanted, but he gave me 250 *l.*

2301. Was that as much as you asked for?—The impression on my mind is, that I did not ask for any particular sum.

2302. Did you ask for any more than he did give you?—No.

2303. Did you get that at the same interview at which you applied for it?—Yes.

2304. And the 300 *l.* likewise?—Yes.

2305. When next did you make any application to Mr. O'Connell?—A greater space elapsed than between the 300 *l.* and the 250 *l.*

2306. When was the third application to Mr. O'Connell?—I met him in the lobby of the House of Commons in the evening, at eight or nine o'clock, and I told him that Mr. Vigors told me to call upon him for the balance of the 1,000 *l.* I think, and he desired me to call upon him the next morning at nine o'clock.

2307. Did you call upon him the next morning?—I did.

2308. What did he say to you?—He handed me two bills, saying, that his money was in Ireland, and that if those bills would be no inconvenience to Mr. Vigors, they would be of convenience to him, but if there were any inconve-

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nience, to bring them back, and he would change them ; and I said that I thought they would not be inconvenient, as one might be transmitted to Ireland for the payment of the debts of the election.

2309. Did you deliver that message and the bills to Mr. Vigors?—I did.

2310. Did you, at the time you received those bills, or at any other time, inform Mr. O'Connell that there was any objection to receiving the bills?—No, no objection; I told him that I thought that the bills would be equal to cash.

2311. When you gave the bills to Mr. Vigors did he make any objection to receiving them instead of cash?—No; he said they were all the same, quite sufficient.

2312. Were you present when either of those bills, or both of them, were given to Mr. Baker afterwards?—I do not think that I was.

2313. Do you know of one of those bills, the 275 *l.* bill, being delivered back by Mr. Baker?—I do; I was present when Mr. Baker delivered it back.

2314. Did you afterwards receive a part of the proceeds of the 275 *l.* bill, to pay election expenses in Ireland?—I did; I received 268 *l.* 10 *s.*

2315. From whom?—From the Rev. Mr. Maher.

2316. Had the bill been transferred from Mr. Vigors to Mr. Maher?—It had.

2317. Do you know whether Mr. Vigors had made any advances to the witnesses that had been brought from Ireland to attend the petition?—I do.

2318. Had he made those advances in England or in Ireland, or in both places?—Both, I think ; there was a large sum paid.

2319. Were you present when Mr. Vigors settled with Mr. Baker as to that 1,000 *l.*?—I was.

2320. Do you remember whether Mr. Vigors claimed any, and what sum, on account of the payment to witnesses?—I cannot exactly remember the amount; I know that he did claim a sum.

2321. Did Mr. Baker make any objection to that, or was it agreed between them?—It was agreed between them.

2322. Was that the time when the 275 *l.* bill was returned?—I should think it was.

2323. Do you remember whether it was or not?—I do not recollect.

2324. You were present, you say, when that amount of payments to the witnesses was claimed?—Yes.

2325. Have you the means of knowing whether this sum claimed by Mr. Vigors had been advanced by him ; had you made them in part yourself?—The witnesses that came from Ireland told me that they were paid a sum in Ireland amounting nearly to 100 *l.*, or 90 *l.*

2326. But were you present when Mr. Vigors made those advances, or did you receive the money?—I had received a sum from Mr. Vigors to pay them.

2327. Do you know, of your own knowledge, of Mr. Vigors having advanced money in London on account of their expenses?—I do.

2328. Were documents furnished to Mr. Baker at the time that that claim was made?—I think that the period which I allude to was when Mr. Vigors and Mr. Baker were settling the second 1,000 *l.*, and I did not attend to the details of the account; but when they had concluded, Mr. Baker said, "Now, Mr. Vigors, I will give you a receipt for 1,000 *l.*"

2329. Do you recollect whether the word was receipt or credit?—I think it was receipt ; because I pressed Mr. Vigors, the next day, to get a receipt, which he did not get.

2330. You say you received 268 *l.* 10 *s.*?—That is the first sum which I received from Mr. Maher.

2331. For what purpose?—To pay the outstanding claims for the election of June.

2332. Did you also receive a sum of 25 *l.* 12 *s.*?—Yes, a draft by Mr. Vigors upon his banker in Dublin.

2333. Look at these papers and tell me whether they contain a faithful account of the monies paid by you, the total 296 *l.* 2 *s.*, putting down the 2 *l.* received of Mr. Maher, in addition?—I have not the paper here which contains the total.—(*The Account was handed to the Witness, Vide Paper* (A.)—They do.

[*The Accounts were delivered in and read, as follow :*]

(A.)

Mr. *E. M. Fitzgerald.*

7 March 1836.

ACCOUNT by which Mr. *Edward Michael Fitzgerald* discharges himself of the Sums received by him of Mr. *Vigors* and Mr. *Maher*.

Dr.	£.	s.	d.	Cr.	£.	s.	d.
1835: August. Cash received at Carlow of Mr. Maher, the proceeds of 275*l.* bill - - - - -	268	10	–	1835: August and Sept. Paid election expenses miscellaneous (*see* Paper No. 3 A.), consisting of expenses for voters, carriage hire, messengers, advertisements, &c. (*see* vouchers, Paper No. 3 B.) - - - -	265	15	1
November. By draft of Mr. Vigors on Ball & Co., bankers, Dublin, handed by Mr. Maher	25	12	–				
1836: 23d February. By cash of Mr. Maher - - - - -	2	–	–	November. Miscellaneous expenses (*see* Paper No. 8, vouched by Papers No. 3 C.)	24	17	6
£.	296	2	–	£.	290	12	7

	£.	s.	d.
Receipts - - - - - - -	296	2	–
Expenditure - - - - - - -	290	12	7
£.	5	9	5

Note.—Outstanding disputed bills set forth in Paper No. 7, being for car-hire and expenses of voters, amounting to *l.*—(Mr. Vigors' Papers, No. 7.)

PAPER No. 6 A, referred to as Classed Details of Mr. Fitzgerald's Account.

1835.		£.	s.	d.
August and September.	Printing - - - - - - - - - - -	24	–	–
	Advertisements - - - - - - - - - -	29	–	–
	Newspapers - - - - - - - - - -	4	13	4
	Town of Tullow car-hire - - - - £. 17 7 6			
	John Maher, Carlow car-hire - - - 15 15 –			
	Philip Nowlan - ditto - - - - 12 13 –			
	Mrs. Byrne, Carlow car-hire, and expense of county voters - - - - - - - 21 15 –			
		67	10	6
	Paid messengers - - - - - - - - - -	4	14	4
	Mr. Fitzgerald's expenses to Dublin - - - - -	2	2	–
	Expenses necessarily incurred in bringing and maintaining county voters while waiting in town to poll - - -	133	14	11
	£.	265	15	1

PAPER No. 6 B. A List of Mr. Fitzgerald's Vouchers, referred to in his Account; last Election, 1835.

		£.	s.	d.
No. 1.	To cash paid William Price, for printing - - - - -	24	–	–
2.	— James Young - - - - - - - -	1	19	–
3.	— Thomas Niel - - - - - - - -	3	9	–
4.	— Owen M'Cade - - - - - - - -	3	12	6
5.	— Richard Hobson - - - - - - - -	1	1	–
6.	— Henry Porter - - - - - - - -	–	4	–
7.	— Mrs. J. Byrne - - - - - - - -	21	15	6
8.	— William Faurie - - - - - - - -	1	16	8
9.	— Michael Leech - - - - - - - -	–	18	–
10.	— Michael Grennan - - - - - - - -	2	10	–
11.	— Brien O'Niel - - - - - - - -	20	–	–
12.	— Miss Bolger - - - - - - - -	5	7	6
13.	— Michael Coleman - - - - - - - -	10	15	6
14.	— James Farrell - - - - - - - -	–	10	–
15.	— Daniel Moore - - - - - - - -	3	14	–

(*continued*)

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		£.	s.	d.
No. 16.	To cash paid John Cullen	20	–	–
17.	— J. Nolan	3	10	–
18.	— M. Nolan	1	10	–
19.	To advertisements in newspaper	29	–	–
20.	To newspaper	4	13	4
21.	To cash paid P. Hammond	2	–	–
22.	— Mr. M'Donnald	2	2	–
23.	— Thomas Moore	6	15	–
24.	— Ditto	–	16	–
25.	— John Watson	–	18	–
26.	— Thomas Murphy	–	15	–
27.	— Thomas Byrne	4	–	–
28.	— Darby Murphy	6	5	–
29.	— Patt Wade	1	–	–
30.	— Daniel Crotty	–	11	8
31.	— M. Maher, Loughlin	2	11	–
32.	— Mrs. Cohill	–	18	–
33.	— James Brady	–	10	–
34.	— John Maher	15	15	–
35.	— James Maher	1	–	–
36.	— Michael Penlin	4	–	–
37.	— P. Wade	–	5	–
38.	— Coughlin	1	–	–
39.	— Miss Redmond	3	15	–
40.	— Kinsella and M'Graff	1	–	–
41.	— T. O'Niel	8	1	–
42.	— Tullow bills	17	7	6
43.	— Philip Nolan	12	13	–
44.	— Robert Landor	–	19	7
45.	— Farriell and Coffey	3	–	–
46.	— Expenses to Dublin	2	2	–
47.	— John Bacon	–	11	8
48.	— Hinch, Hacketstown	1	–	–
49.	— Michael Byrne	–	9	–
50.	— Sundries	–	14	4
51.	— Walsh, Graigue	1	5	–
52.	— Mathew P. Carrigan	1	–	–
	£.	265	4	9

By cash from Rev. M. Maher, £. 268. 10 *s.*

Note.—Copies of the vouchers above scheduled will be produced.

PAPER No. 3 C, referred to in Mr. Fitzgerald's General Accounts, as Details of the Item of £. 25. 7 *s.* 5 *d.*

	£.	s.	d.
Paid Richard Kehal	8	–	–
Ditto Mr. Lennon, Carlow	6	2	6
Ditto Peter Flood, Carlow	2	2	–
Ditto Pat. Farrell, Carlow	1	10	–
Ditto Mrs. M'Asey, Carlow	4	11	–
Ditto Rev. James Nolan (by credit, as part of his parish subscription to the registering fund)	2	12	–
£.	24	17	6

Cr.	£.	s.	d.
By draft on Ball's bank	25	12	–
Expenditure	24	17	6
£.	–	14	6

Mr. *E. M. Fitzgerald.*

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2334. Have you made disbursements on account of the election, to the amount there stated, of 290 *l.* 12 *s.* 7 *d.*?—I have.

2335. And those items are faithfully detailed in the papers?—Yes.

2336. Do you know whether there are yet outstanding bills in dispute?—There are, to a considerable amount.

2337. About what sum is the amount of the claim?—I should think nearly 100 *l.*

2338. And have you gone over them, to say what you consider fair claims?—Not very minutely.

2339. But 75 *l.* is about the amount?—Yes.

2340. When did you receive that 268 *l.* from Mr. Maher?—Immediately on Mr. Maher's return from attending on the petition.

2341. In what month?—In the last day of August.

2342. And did you apply it to election expenses?—Yes, it was notified to the parties; and we called upon them, and paid them.

2343. Are those all fair legal expenses incurred in the election?—Yes, all legal expenses.

2344. While the petition was pending, had you any communication with Mr. Raphael upon the subject of sending for witnesses?—I had, after a particular stage of the proceedings.

2345. Do you remember on what day of the month it was that the proceedings arrived at that particular stage?—No, I cannot; but it was after Mr. Raphael had taken upon himself the entire control.

2346. After that time, under whose directions did you act, as to sending for witnesses and keeping them?—Under the directions of Mr. Raphael and Mr. Hamilton; I had Mr. Vigors' positive directions not to send for a witness from Ireland, unless I had the sanction of Mr. Raphael or Mr. Hamilton.

2347. After you had been in England in May 1835, upon the subject of the petition against Mr. Bruen and Mr. Kavanagh, and had seen Mr. Raphael at the bazaar; do you know whether Mr. Vigors, upon his return to Ireland, made any communication to the committee as to any arrangement having been made with Mr. Raphael?—He did.

2348. What was that?—A communication somewhat similar to that which he made to me after the meeting at the bazaar; that a sum of 1,000 *l.* should be paid by Mr. Raphael upon nomination, for the expense of the election, and 1,000 *l.* to be disposed of by the committee of the county.

2349. That was the communication made by Mr. Vigors o the committee upon his return?—Yes.

2350. Sir *Frederick Pollock.*]—On Mr. Vigors reaching Carlow, after the 31st of May, was that communication made by him, that the arrangement had been completed?—Yes, it was; he said that he saw Mr. O'Connell the day before he left London, as well as Mr. Raphael, and all arrangements were complete before he left London; that he remained one or two days to have the arrangements completed.

2351. How was the first 1,000 *l.* to be applied?—As far as the expenses of the election required it, and the surplus to be paid to the expenses of the prior election, in opening the seats.

2352. In the committee?—Yes; in fact the committee were to have the control of it.

2353. And the other 1,000 *l.* was for the purposes of the county?—Yes, for the protection of the tenantry from the persecution of the landlords.

2354. Ultimately you are aware, that there being a petition, the 1000 *l.*, instead of being applied to the purposes of the county, was applied or supposed to be to the expenses of the petition?—Yes, and contrary to the advice of the members of the committee then in London, Mr. Vigors allowed it to be so disposed of.

2355. Did you ever see a copy of a written arrangement entered into with Mr. Raphael?—No.

2356. You recollect some remittances coming from Mr. O'Connell, 500 *l.*, a draft at sight, and the 304 *l.* bill; how much of that was expended for the purpose of the election?—I cannot exactly say.

2357. About how much?—The accounts detail the gross amount of the expense of the election; I cannot say how it was applied.

2358. Can you form any judgment of what was the expense of the election without the petition?—I should say upwards of 700 *l.*; I had nothing to do with

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the payment of the legal expenses of the election; I do not know what they were, the sheriff and other items.

2359. But as far as you can form an opinion, the expenses of the election did not come to more than 700 *l.*?—I cannot exactly say; I do not know.

2360. Was the estimate that the 800 *l.* remitted by Mr. O'Connell would cover the expenses of the election?—I cannot say.

2361. Then you cannot give the Committee any information why the sum of 800 *l.* was remitted more than the sum of 600 *l.* or the whole 1,000 *l.*?—No; I cannot.

2362. You came to England five or six days before the ballot for the Committee?—I think so.

2363. The ballot took place on the 28th of July?—Yes.

2364. Were you aware, when you applied to Mr. O'Connell, that he had on that day received the 1,000 *l.*?—I was not.

2365. What application did Mr. Vigors desire you to make to Mr. O'Connell?—He desired me, if I met Mr. O'Connell at his house, to ask for a sum of 200 *l.*

2366. Are you sure that he named a sum of 200 *l.*?—Yes.

2367. Are you certain?—Yes, that is the impression upon my mind.

2368. Where did you see him?—In the lobby of the House of Commons.

2369. Did he give it you?—He retired into a room of the Members' gallery, and brought me out the cheque.

2370. For 300 *l.*, you having asked only for 200 *l.*?—Yes.

2371. You are certain that you asked only for 200 *l.*, and he gave you 300 *l.*?—That is the impression upon my mind.

2372. Did you afterwards get the cheque for 250 *l.*?—Yes.

2373. By whose direction did you apply for that?—By Mr. Vigors.

2374. Did he name any sum upon that occasion?—I cannot recollect, nor whether I asked for a particular sum.

2375. What did you state to Mr. O'Connell?—That Mr. Vigors had desired me to call upon him for some money.

2376. Have you no recollection whether you mentioned a particular sum?—I have not.

2377. Have you no recollection whether Mr. O'Connell asked you what sum was required, and what it was wanted for?—For the purposes of the expenses attending the committee, of course. I do not remember whether Mr. O'Connell asked me what I should want, or if I asked for a particular sum.

2378. What did you do with that sum he gave you?—I brought it back and handed it to Mr. Vigors.

2379. Do you remember the day that you applied for a further sum of money?—I cannot recollect the precise day.

2380. When did you last see the bills?—I have not seen the bills; the 399 *l.* bill since I handed it to Mr. Vigor's, nor the 275 *l.* bill since Mr. Maher got it from Mr. Baker some days afterwards.

2381. Have you seen any account with the draft of the bill in it?—I do not think that I have.

2382. Then you are not able to state on what day it was?—I cannot exactly state the day when I had the bills from Mr. O'Connell.

2383. Were the bills dated on the day you got them?—Yes, they were drawn in my presence.

2384. Are those the bills?—[*The same being handed to the Witness, being two Bills, dated the 14th of August.*]—I think they are.

2385. Are you able to say that it was on the 14th of August?—I should think so; I have scarcely a doubt upon it, because they were drawn in my presence.

2386. Will you state what directions Mr. Vigors gave to you?—I think it was to call for the balance of the second 1,000 *l.*

2387. Was it for the balance of the second 1,000 *l.*, or for the balance of the whole money?—I considered that the first 1,000 *l.* was discharged.

2388. By what?—First, by the 300 *l.*, and by the draft he had paid 100 *l.* more than the first 1,000 *l.*; there was 800 *l.* paid in Ireland, and 300 *l.* which made 1,100 *l.*; and whether it was for the balance of the money, or balance of the second 1,000 *l.*, I cannot say; the balance in Mr. O'Connell's hands was what we wanted.

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2389. Were you furnished with any account of what that balance would be, or whereabout it was?—None whatever.

2390. Did you learn who it was that wanted this money, or what it was wanted for?—To pay the expenses, I think, of the petition that was then pending.

2391. From whom did you learn that?—From a general knowledge of the state of the case, and I think from Mr. Vigors also.

2392. You applied to Mr. O'Connell; where did you first see him?—In the evening late, about eight or nine o'clock, in the lobby of the House of Commons.

2393. What did he do then?—He requested me to call upon him the next morning at his house in Clarges-street.

2394. Did he name the hour?—I think he said about nine or ten o'clock.

2395. Did you go?—I did.

2396. Did you see him?—I did.

2397. Did you take with you any account of the state of the figures?—Certainly not; I did not exactly know the balance at that time.

2398. You did not know what it was?—No, I did not; I had certainly no account, nor did Mr. Vigors say what the balance was.

2399. Then you did not ask for any particular sum whatever?—No.

2400. What did Mr. O'Connell say to you?—He mentioned to me that his money was in Ireland, and that, if it would be no inconvenience to Mr. Vigors, it would be a great convenience if two bills of short date would answer; I said I thought they would be no inconvenience, and if it was, he said I might bring the bills back and have cash; that his money was in Ireland.

2401. He did not represent that he had transmitted Mr. Raphael's money to Ireland?—No, he did not.

2402. Were you aware that he had received 1,000 *l.* from Mr. Raphael on the 27th of July?—I had heard that Mr. Raphael had paid that, but not the date when he paid it.

2403. When did you hear that; before the interview or after?—Before.

2404. You did not suggest to Mr. O'Connell that he had received the money here in cash?—Certainly not.

2405. Who suggested the amounts of the bills?—Mr. O'Connell drew the bills; and when he handed them to me I mentioned that they were overdrawn, 15 *l.*

2406. Will you just mention what that calculation was, so as to make out the 15 *l.* overdrawn?—He remitted 804 *l.* to Ireland, the 300 *l.* draft, the 250 *l.* draft, and the amount of the two bills, 399 *l.* and 275 *l.*

2407. The 804 *l.*, the 300 *l.* and 250 *l.* would make 1,354 *l.*; is that so?—Yes.

2408. Deduct that from 2,000 *l.*, you will see what the balance is?—£. 646.

2409. And you observe that the amount of the two bills 275 *l.* and 399 *l.*, is 674 *l.*?—Mr. O'Connell had included the discount of the bills in the gross amount.

2410. That is 28 *l.* too much?—Yes, it is.

2411. You say you went through some little calculation; what was that calculation which made it 15 *l.*?—When Mr. O'Connell handed me the bills, I said to him, these bills are overdrawn; Mr. O'Connell took the bills back and calculated the interest, and said it was so much, I do not recollect what he said, and that being so, he said the bills were 15 *l.* overdrawn, which Mr. Vigors can hand me back at his leisure, or something to that effect.

2412. Then when Mr. O'Connell handed you the bills, were you then aware of the amount that you ought to have, or did you add the bills together and make some calculation, and tell him that they were overdrawn?—When Mr. O'Connell handed me the bills, I perceived upon the face of them that they were overdrawn.

2413. But you did not know the balance?—No; but I knew that it must be some pounds overdrawn; I knew it was about a certain sum.

2414. What was about the sum?—The difference between 1,354 *l.* and 2,000 *l.*, less by the discount of the 304 *l.* bill.

2415. Did you add up the sums, so as to ascertain that it was the difference between the 1,354 *l.* and the 2,000 *l.*?—It is probable that I did.

2416. Did you, in point of fact?—I cannot say that I did; but I made some calculation which led me to suppose that the bills were 15 *l.* overdrawn; I am positive that that was the sum that I mentioned to Mr. O'Connell.

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2417. Did you mention the sum of 15 *l.* to him, or he to you?—I mentioned it to him.

2418. How came you to mention that?—By some calculation, perhaps an erroneous one, that I made of the amount.

2419. Were the two sums of 399 *l.* and 275 *l.* entirely of Mr. O'Connell's suggesting?—Yes; I did not suggest to him anything.

2420. Were the dates of the bills, one being 61 days after date, and the other 91 days after date, entirely of Mr. O'Connell's suggesting?—They were.

2421. When you got those bills do you intend the Committee to understand that upon that you made any calculation of interest, so as to ascertain the balance due to Mr. O'Connell?—Mr. O'Connell made a calculation of interest which he mentioned to me; my impression is that I did not.

2422. Did he tell you the amount of the interest?—I think he did; I think that is what guided me in stating 15 *l.*

2423. Do you know Mr. Ayre, upon whom the bills were drawn?—No, I do not know him personally.

2424. Did you ever see any other bills drawn upon Mr. Ayre?—I think the bill remitted to Carlow, the 304 *l.* bill, was drawn upon Mr. Ayre.

2425. Do you know what he is?—He is a gentleman that lives in Eccles-street, in Dublin, or did live there.

2426. Do you know what he is?—No; it is a private house.

2427. Do you know whether Mr. Fitzpatrick lives there?—Yes, I believe he does.

2428. What is he?—I believe a brother-in-law of Mr. Ayre.

2429. And is he a manager of the O'Connell brewery?—I do not know that.

2430. Did you leave Mr. O'Connell when you took those bills away, with an understanding that 15 *l.* was exactly the sum too much that he had paid?—I did.

2431. How came you not immediately to return the 15 *l.*?—I handed the bills to Mr. Vigors.

2432. Did you tell him that it was 15 *l.* too much?—I did.

2433. And how came it not to be returned immediately?—I cannot tell.

2434. How came it to be returned precisely on the 3d of November?—I do not know that it was returned then.

2435. Had you any conversation with Mr. Vigors about returning it?—I think I had no conversation with Mr. Vigors about returning it; but Mr. Vigors told me since I came to London, that he had returned it.

2436. I ask you, were you at all aware that Mr. Vigors had returned the 15 *l.* till you came to London upon this inquiry?—No, for I made no inquiry upon the subject.

2437. Were you at Carlow in the month of November?—I was; I reside in Carlow.

2438. Did you know of Mr. Vigors writing a letter to Mr. O'Connell upon the 3d of November?—He told me in November that he did write to him.

2439. Had you, about that time, any conversation with Mr. Vigors about the sum of 15 *l.*?—I might, but I do not recollect it.

2440. Had you, or had you not?—I cannot say whether I had or had not.

2441. Is your memory upon that subject a perfect blank?—As far as that is concerned I would not take upon myself to say that I had or had not; for we have had conversations upon so many subjects connected with the case, that it is impossible to say.

2442. About the 3d of November were any accounts made out relating to election expenses?—While Mr. Vigors was in Carlow I settled with Mr. Vigors the accounts that I hold in my hand. I was giving him an account of my disbursements in paying away money.

2443. Have you any knowledge or recollection of anything passing between you and Mr. Vigors upon the subject of the 15 *l.* in November last?—Not the least; it is only as far as my own account is concerned that we had any conversation upon the subject.

2444. As far as you recollect, you and Mr. Vigors had no conversation upon the subject?—That is my impression.

2445. How long were you with Mr. O'Connell on that 14th of August when you got those two bills?—Not longer than while he was drawing the bills; for ten or fifteen minutes.

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2446. The calculation was made at that time?—Yes, it was in a second almost; it was not a very minute calculation which we made upon that occasion; it could not have been if the sum was more or less than 15 *l.*

2447. Have you read the correspondence which has appeared in print?—I have.

2448. Do you remember this passage in one of Mr. O'Connell's letters, "I not only paid him the 2,000 *l.* to the last farthing, but having in my hurry made a mistake against myself, I actually paid him 15 *l.* more than I ought; I got 2,000 *l.* for him; I gave him in all 2,015 *l.*; he discovered the mistake and rectified it." Is the Committee to understand that the mistake was actually discovered, if it was a mistake, at the very time that the bills were handed over?—Those bills were drawn and handed over to me before the mistake was discovered; I discovered the mistake.

2449. Was it discovered at the same time that the bills were handed over to you?—It was.

2450. However, it was you who discovered the mistake?—It was.

2451. You discovered it if it was a mistake?—When he handed me the bills, I said the bills are overdrawn, and we made some calculation, and our calculation was that they were 15 *l.* overdrawn.

2452. And when that mistake was rectified you do not know?—No, I do not.

2453. How much of the money passed through your hands?—I received 268 *l.* 10 *s.* 8 *d.* from Mr. Maher in the latter end of August, a draft upon Ball's bank for 25 *l.* 12 *s.*, and 2 *l.* in cash, making 296 *l.* 2 *s.*

2454. Was that the whole of the money that came through your hands?—Yes, that I had the control of.

2455. What was the sum of 276 *l.* 10 *s.* 8 *d.*, was that the produce of the bill of 275 *l.*?—Yes; Mr. Maher may have paid some small sums out of that, before he handed me the residue of the money.

2456. "By cash from Mr. Maher," I see, "2 *l.*", was that part of the produce of the bill?—Mr. Maher thought that he might have 2 *l.* surplus in his hands, and he handed me the money.

2457. When did you get that?—I think the day before I left Carlow for London on the present occasion.

2458. That is the 23d of February in this year?—Yes.

2459. Long after this correspondence was published?—Yes.

2460. In fact since this Committee was appointed?—Yes.

2461. Mr. Serjeant *Wilde.*]—After your return to Ireland, subsequent to the petition, were you in frequent communication with Mr. Vigors?—Very frequent.

2462. Upon the subject of the election, accounts and matters connected with that?—Yes.

2463. Do you recollect whether you had any conversation with him upon the subject of the bills you had received, and your paying those bills exceeding the amount?—Not upon that subject; I do not recollect that I had.

2464. I ask you respecting the correspondence of the committee of Carlow upon the subject of the representation of the county; had you a correspondence with Mr. O'Connell upon that subject?—Yes.

2465. Have you a letter from Mr. O'Connell upon the subject?—I have.

2466. Will you produce it?—[*The Witness produced the same, dated the 4th of January* 1835, *which was read, as follows:*]—

(Confidential.)

My dear Fitzgerald, Derrynane Abbey.

I wish I could get to Carlow; I am most anxious to be in Carlow. Will you see his Lordship the Bishop, and submit to him my plan. If you cannot get anybody else, I will lodge 500 *l.*, or if necessary 1,000 *l.*, for my eldest son, Maurice, and set him up for the county. Maurice can and will be elected for Tralee, but he could afterwards elect to sit for Carlow county, and leave Tralee for a second choice. I say this only on the understanding that nobody else can be got. In that case I will make the sacrifice I mention, to prevent a Tory getting in for the county. You will, however, recollect that I do this merely to prevent a Tory from being your member, and for no other purpose; though, to be perfectly candid, I would rather have Maurice represent a county than a borough, but beyond that preference there is nothing else. I am, however, ready to make a personal sacrifice of from 500 *l.* to 1,000 *l.* for that purpose. I go to Killarney on Tuesday the 6th, on Wednesday the

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the 7th to Cork; if you have occasion to write to me, direct to me at Cork, care of Thomas Fitzgerald, Esq., merchant, Mallow-lane, Cork. Put on it, "To be forwarded at once.', Write also to Waterford, by the same post, to the care of the Rev. John Sheahan, P. P. Waterford, I will myself write to you again from Cork or Youghall, and tell you the exact day on which I will be in Carlow.

Believe me to be your's, very sincerely,

Ed. M. Fitzgerald, Esq., Carlow. *Daniel O'Connell.*

[The Witness withdrew.

Martis, 8° *die Martii*, 1836.

MEMBERS PRESENT.

Mr. N. W. R. Colborne.	Mr. Ord (Newcastle).
Lord Francis Egerton.	Sir Charles Broke Vere.
Mr. Bannerman.	Mr. Warburton.
Mr. Barneby.	Sir Eardley Wilmot.
Sir Ronald Ferguson.	Mr. H. G. Ward.
Sir John Yarde Buller.	
Sir Frederick Pollock.	Mr. Serjeant Wilde.

MR. NICHOLAS W. RIDLEY COLBORNE, IN THE CHAIR.

The Rev. *Thomas Tyrrell*, called in; and Examined.

The Rev. *Thomas Tyrrell.*

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2467. Mr. Serjeant *Wilde.*]—YOU are a clergyman of the Roman Catholic persuasion?—Yes.

2468. Were you in England in the year 1834; in the summer or autumn?—I was, in the autumn.

2469. Did you see Mr. Raphael upon that occasion?—I did.

2470. Had you any communication with him upon the subject of his becoming a candidate for the county of Carlow?—Yes.

2471. Did you discuss the expense?—There was a conversation upon the expense.

2472. You dined with him also in Merchant Tailors' Hall?—I did.

2473. In June 1835, did you receive that letter from Mr. Raphael—[*a letter being handed to the Witness*]?—I did.

2474. At the time that you parted with him in the year 1834, did you part with him under the idea that he would become a candidate at a future time?—Most certainly.

[*The Letter, dated June the 15th, 1835, was delivered in, and read, as follows:*]

Dear and Rev. Sir,—At the request of your brother, and my friend Mr. Tyrrell, whom I had the pleasure of seeing last night, and conversing on the Carlow Election, I write to inform you that it is absolutely out of my power to absent myself from London at this present time, our June sessions having commenced this very day. But in the event of my being returned one of the representatives of your county, it is my firm intention, with God's blessing, in the course of this month, accompanied by your brother, to pay you a visit, and thank you in person for all your and your friends' exertions in my favour. I have only to add, that the poor of Carlow shall find me a warm friend and a zealous protector against their oppressors. And intending to be a proprietor in your county, it is my intention, from time to time, to spend as much time with you as my Parliamentary duties will permit me. Believe me, dear and reverend Sir,

Your very faithful and obliged servant,

Alex^r Raphael.

2475. You were in England during the discussion of the petition against Mr. Vigors and Mr. Raphael?—I was.

2476–7. Had you, subsequently to that, a communication with Mr. Raphael upon the subject of his becoming a candidate at a future time?—Yes.

2478. Had you only one conversation with him upon that subject, or two?—I am positive of having one, and I think two.

2479. What was the date of your last conversation?—I had more than one; my last conversation was on Saturday, and I left England on Monday.

2480. Sir *F. Pollock.*]—You say you were in England during the petition against Mr. Vigors and Mr. Raphael; did you ever make any application to Mr. O'Connell about the funds in his hands?—Never.

2481. Not in any way whatever?—Never.

2482. Perhaps

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2482. Perhaps you did not know any thing about the pecuniary matters?—I had nothing to do with the pecuniary matters.

2483. Had you any knowledge about them?—I had a knowledge from hearsay, that Mr. O'Connell paid the money for the petition.

2484. You had no conversation about it?—I had no conversation with that gentleman till yesterday.

2485. Nor with Mr. Vigors?—I had a good deal of conversation with Mr. Vigors.

William Harrison, Esq., King's Counsel, called in; and Examined.

W. Harrison, Esq.

2486. Mr. Serjeant *Wilde.*]—YOU were leading counsel in a petition against Mr. Vigors and Mr. Raphael, as representatives of the county of Carlow?—I was; but I must beg leave to state that, having been counsel, I consider that I am not at liberty to answer any question in relation to what took place then, unless I have the leave of my clients, one of whom was Mr. Raphael. If I have leave from him to give evidence, I will proceed. I was summoned by Mr. Vigors, and I know that there is a doubt in the profession whether I am bound to state what had passed between Mr. Vigors and me without Mr. Raphael's consent, he having been my other client; there being that doubt I take that course in delicacy, and refuse to give my evidence unless Mr. Raphael consents.

Mr. *Raphael.*]—I give my consent.

2487. Mr. Serjeant *Wilde.*]—Do you remember the ballot for the committee upon that petition?—Perfectly.

2488. In your communications with Mr. Vigors afterwards, upon the subject of that petition, were the grounds of the petition and its proposed resistance proposed and talked about?—Yes.

2489. What was the judgment and opinion which you formed and expressed to Mr. Vigors upon the probable result of that petition?—That will place me in rather a singular situation; sometimes as counsel certainly, looking at those who are to be the judges, we form some little opinion, that is with respect to doubtful and difficult points, whether we have a chance of succeeding or not. I do not wish to carry that further.

2490. The constitution of the committee affects the case as well as the merits of the case?—Certainly, for that case; I did not altogether like the constitution of the court.

2491. How many days had the committee sat before you formed a conclusive judgment as to the probable result of the petition?—I think, with the exception of some casual observations upon the point which was just now asked me and to which I gave an answer, that I gave no decided opinion until the third day; I will not be positive whether it was the third day or the fourth. The third day was the Saturday, the ballot took place on the Tuesday, and on the Wednesday the lists were delivered and the business commenced on the Thursday, and I do not recollect whether I formed a decided opinion on the Saturday, or whether it was with reference to what had taken place on the preceding day, that on the Sunday I made up my mind on what course was to be pursued, and communicated to the parties my opinion on Monday morning; whether I gave my opinion on the Saturday or on the Monday morning, having had time to consider, I do not recollect.

2492. What was the opinion you then gave?—That it was not only advisable for the parties to stop, because they had no chance of succeeding, but that it was most important that they should stop, because mischief would arise from their going on.

2493. Did you express that opinion to the parties?—Certainly.

2494. Was it your opinion that it was very ill-advised to go on?—Yes; one point before the committee was upon the value of the property, the Monaghan and other committees, which had sat before, had had discussions upon matters of that sort; but this committee took a different view from those committees. The Monaghan committee permitted us, in cases where the land was not above 8*l.* or 9*l.* to give evidence of value, and we proved value 10*l.* in addition. This committee required a much higher value to a very considerable extent, almost bringing the right of voting in Ireland to the point which is made specific in the English Act of Parliament, to a 50*l.* tenantcy; and this com-

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mittee certainly considered (I do not mean to say that 50*l.* was the sum), that unless the rent of the property held by the voter was of a description and amount approaching to that, the 10*l.* value could not be considered as valid; that was the result I drew from the determinations to which they came.

2495. Were you aware that, acting upon your judgment and the view that the parties themselves took, Mr. Vigors abandoned the resistance to the petition after a certain time?—I considered Mr. Vigors, certainly, as not agreeing to its going on, and I may state my reason for that: there were some votes of his as to which there was an objection, that they wanted a few days of six months' execution of the leases under which they were entitled to vote. On the registration in Ireland, it had been decided that where a tenant continued to hold on on the same rent, and on a promise made by the landlord that he should have a renewal of the lease, that that in some degree gets rid of the requisition that the lease shall be executed six entire months before. These leases wanted a few days of that time, and other evidence could not be applied with reference to a portion of them, and the result of going on was the destruction of those votes. I do not recollect the number, but 50 or 60.

2496. Sir *F. Pollock*].—Did Mr. Raphael attend the consultation?—No, I do not think he did, but he was quite aware of my opinion.

2497. How do you know?—I had the pleasure of meeting him a month ago at the Linnæan Society, in which he was introduced, and he came up to me and put me in mind of my opinion, expressed to him, that he had better not go on.

2498. How early did you tell him that?—About the third or fourth day.

2499. Do you recollect seeing him and telling him that?—I have a very faint recollection, in the bustle and business that was going on, but I know that I took as much pains as I could to communicate it, and Mr. Raphael put me in mind that I did do so.

2500. Have you any recollection of your having told him your opinion till you had gone on with it for three days?—I was engaged in the Great Western committee, and my junior had been attending very assiduously to that; and I promised him that when he was obliged to go into the country on the circuit, I would then, if the Great Western committee lingered on to that time, abandon every other case that I had, that I might attend the Great Western, which was in a very perilous situation till its close. That was on the sixth day, and I never attended afterwards, and therefore it must have been before that that I expressed that opinion to Mr. Raphael.

2501. Have you a recollection that you did communicate to him that opinion?—No; I have no specific recollection of the act of doing it?—I communicated to the solicitor and Mr. Vigors, and so on.

2502. Was Mr. Raphael at any consultation?—No, I have no remembrance that he was.

2503. As far as you know, did he interfere, or did he leave it to somebody else?—I had no communication with any body upon the subject, except the solicitor, Mr. Baker; I never knew of any other solicitor; I had no communication with any other solicitor.

Mr. *Thomas Baker*, called in; and Examined.

Mr. *Thomas Baker*.

2504. Mr. Serjeant *Wilde*.]—I BELIEVE you acted as Parliamentary agent in the petition against Mr. Raphael and Mr. Vigors, in the last session?—I did.

2505. By whom were you originally employed in that matter?—If the Committee will allow me, I will state the circumstances, and I will leave them to judge.

2506. Who applied to you first to resist that petition?—Mr. Vigors was the first that communicated with me, but before any matter was done in the defence, Mr. Raphael was the person that was first with me.

2507. You were first applied to by Mr. Vigors?—Mr. Vigors communicated with me, and asked my advice upon certain matters; but as to any matter of defence of the petition, the first person was Mr. Raphael.

2508. Will you give the earliest date of your communication with Mr. Raphael?—The 17th of July, I think it was.

2509. It was some days before the ballot?—Several.

2510. Had

2510. Had you had many communications with Mr. Raphael between the 17th and the ballot?—Several.

2511. You remember the ballot, of course?—Yes.

2512. How soon after the committee sat upon that petition had you formed any opinion as to the probable result of the petition, whether it would be favourable or unfavourable?—I had formed an opinion.

2513. How soon after the committee sat?—About three days, I think.

2514. Was the opinion that you had formed that the resistance would be successful to the petition, or otherwise?—That it is a matter of considerable doubt; looking at the constitution of the committee, I would say, as well as from the difficulties of proof, the committee had decided upon one point, and the decision upon that point rendered the success of the defence of the sitting members' case a matter of considerable doubt.

2515. Do you remember at any time Mr. Vigors declining further to prosecute the opposition?—When we went into the scrutiny, immediately after the first vote was decided by the committee, I had a communication with Mr. Vigors, and I impressed upon him the necessity of coming to some specific and decided understanding with Mr. Raphael, who did not attend our consultations though always invited; and as I knew that Mr. Vigors could not afford a very long and expensive defence of this matter, and as I understood that Mr. Raphael was the gentleman who was to defray the expenses, I thought it advisable that Mr. Raphael should be at once informed of the situation in which the case then stood.

2516. Had you consultations with Mr. Harrison upon the subject of that petition?—Yes.

2517. Did you learn about the third or fourth day or thereabout, that in his opinion the case was hopeless as to his subsequent success?—Not hopeless, certainly not in my judgment.

2518. But in his?—Nor in his as I could collect it, it was a matter of considerable doubt; subsequently it turned out to be hopeless.

2519. When the registry was open and one or two votes had been disposed of, what was the opinion then entertained by your counsel as to the probable result of the petition?—That it was a matter of considerable doubt whether the defence of the sitting members would be successful; there was nothing very definite; if an opinion was to be inferred at all, it was that the defence would not be successful; there was nothing very definite upon the subject.

2520. You have said that you recommended some understanding to be come to with Mr. Raphael, do you remember when any arrangement was made in regard to the future prosecution of the petition?—When the committee were ballotted for, and sat upon the petition, Mr. Raphael did not himself come into the committee-room.

2521. Will you attend to the question; the question is whether you remember at any time an arrangement being come to with regard to the future resistance of the petition, as to Mr. Vigors retiring, or as to Mr. Raphael's carrying it on?—No, not with reference to that; I was going to relate the circumstances.

2522. I do not want the previous history?—It is necessary.

2523. After the third or fourth day, did Mr. Vigors or not retire from the resistance to the petition?—No, not further than he had before.

2524. Did you ever learn of any arrangement having been made between Mr. Vigors and Mr. Raphael, that after a certain time Mr. Raphael should have credit for 1,000*l.* towards the expenses of the petition, and that he should prosecute it in future at his own expense?—Not in that way.

2525. Will you state what arrangement you were aware of?—I will. When the committee decided upon going into the scrutiny, and struck off the first vote upon the question of value, I pointed out to Mr. Vigors that the defence, if persevered in, would be very long and very expensive, and that it would be necessary, having understood that there were but 1,000*l.* devoted to the expense of the petition, that Mr. Raphael should be made aware of the circumstances immediately, and of the prospect of success, or rather the absence of it. Mr. Vigors informed me that he had communicated my views to Mr. Raphael, and I am aware that he did communicate them, from this circumstance, that Mr. Raphael called to me one day after leaving the committee-room. I found

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him in his carriage in the street, and he requested me to step into the carriage, and then he said, "I want you to go with me to my solicitor's, Mr. Hamilton; I have had a communication with Mr. Vigors, and I wish something to be done in the matter, and I wish that to be done with the knowledge and approbation of my private solicitor, Mr. Hamilton." I went with him in the carriage to Mr. Hamilton, and saw Mr. Hamilton; and then, if it is required, I will state what took place.

2526. If you please?—I apprized Mr. Hamilton of all the circumstances that had taken place.

2527. Will you state the substance of what you communicated?—I told Mr. Hamilton of the decision to which the committee had come, and the views then entertained by our counsel. Mr. Raphael said that he was not at all aware when he had embarked in this that these difficulties would arise, and there was a complaint on his part that he was led into expense which he had not contemplated. I replied I had nothing to say to that at all; that I was not aware of any arrangement that he had made with other persons, but that I had taken this matter up in the usual and ordinary way, looking to him as my client upon this occasion, and that there was no doubt that if he had paid 1,000 *l.*, as I understood he had, which was to be applied to the expenses of this defence, that he would get credit for it; but that 1,000 *l.* was more at that day than expended, or at all events expended, and that it was necessary for him to come to a decision whether he should or should not go on with the case. Mr. Hamilton remarked that I had nothing to say to any previous arrangement; that of course I should be paid my expenses, and it was for Mr. Raphael to determine how he should best get out of it. I left them, as I thought it would be better for them to consult with themselves, Mr. Hamilton being fully aware that it was in the power of the sitting members to give up at any moment, by giving me instructions. It was understood that I was to receive that evening a communication from Mr. Raphael and Mr. Hamilton, directing me either to proceed or discontinue in the defence. I had not up to nine o'clock received any letter from Mr. Hamilton, and I find that I wrote him a letter, of which I have a copy here, dated the 5th of August.

2528. That is from yourself to Mr. Hamilton?—Yes, on this evening, after the interview, Wednesday evening, the 5th of August.—[*The Witness read the Letter, as follows:*]

Dear Sir, 29, Spring Gardens.

I have not heard from Mr. Raphael. If I do not hear to the contrary, I presume I am to continue the case as heretofore, and will bring down counsel and appear before the committee in the morning. If Mr. Raphael does not go on, it will be easy for me to give in at any time.

I am, dear Sir,
Yours very truly,
Thomas Baker.

That night very late, or rather between one and two o'clock in the morning, Mr. Raphael called in his carriage, and left a letter from Mr. Hamilton for me, which I have got, and I will read it to the Committee. "Carlow Petition. Dear Sir, have the goodness ——"

2529. When is that dated?—Wednesday, the 5th of August, six o'clock; Mr. Raphael did not arrive at my house with it till about one o'clock in the next morning.—[*The Witness read the same, as follows:*]

Dear Sir,—Have the goodness to see that every thing is done that is necessary for to-morrow, when I will take an opportunity of having some further conversation with you.

Yours very obedient,
T. Hamilton.

I accordingly went on, and upon the following day, Thursday, which was the sixth of August, Mr. Hamilton appeared, more to watch the proceedings and the conduct of the case for Mr. Raphael, to see that we did our duty, and that Mr. Raphael was taken care of.

2530. From that time did you take your instructions from Mr. Hamilton or Mr. Raphael?—From both; every day we had consultations after the committee adjourned and before the committee adjourned.

2531. Were they aware of the proceedings going on as well from attending as from your communications?—Certainly; this letter is the 5th; upon the

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the 6th of August wishing that there should be no squabble upon the expense, as Mr. Raphael had then understood fully the terms, I wrote to Mr. Raphael requesting an advance of 300*l.* I got no answer, and upon the 8th of August I wrote to Mr. Hamilton requesting 500*l.* advance for the continuing expenses, and upon the 8th of August I received an answer.

2532. Have you copies of the letters which you wrote to Mr. Raphael and Mr. Hamilton?—No, I have not, of my note to Mr. Raphael.

2533. Will you state the substance?—It was a letter requesting that he would send me 300*l.* to defray the expenses. I have the letter which I wrote to Mr. Hamilton upon the 8th of August, which is this:—"Dear Sir,—I wrote on Thursday to Mr. Raphael for 300*l.*, but though he promised it, he has not made the advance; I have written to him again this morning, and as I do not choose to involve myself in any of the squabbles that may arise between him and others respecting pecuniary matters attending this petition, I must beg of you to see Mr. Raphael this morning, and get me the advance." I am not quite positive whether this is an exact copy of the letter I wrote to Mr. Hamilton, but something tantamount to it. This was certainly written on the 8th of August. Upon the 8th of August I received from Mr. Hamilton this letter in answer to the one which I had written to him, and of which I believe the foregoing to be a copy, and it is this:—"Dear Sir,—Inclosed you have a draft for 500*l.* Do not fail letting me have, on Monday morning, the best estimate you can form of all the expenses to the present time, and of the probable average expense per diem for the future. Yours faithfully, *T. Hamilton.* 8th August." We had talked before about the expenses, and Mr. Hamilton particularly desired an estimate; in compliance with this direction of Mr. Hamilton, on the 10th of August I sent him an estimate of the expenses, up to the 10th of August inclusive, that had been incurred, and of those that would probably arise if the case continued any further period; and I put the expenses up to Monday the 10th of August inclusive, fees to counsel that I had paid, the probable amount of the House fees, and the probable amount of Parliamentary expenses; and that up to the 10th of August amounted to 1,228*l.* 7*s.* 6*d.*

2534. Is that 1,228*l.* the amount of the expenses from the commencement of the defence?—That is the Parliamentary expenses; the expense of witnesses was not included.

2535. From the commencement?—Yes; then I put the expenses per diem, from the 10th to the conclusion, will average about 70*l.* per diem; say to the 25th inclusive, when the Session is expected to close, 950*l.*; and I will explain why; it was because I found that Mr. Raphael was extremely anxious all through, the moment that I had any communication with him, that the matter should be delayed as much as possible, and seemed not to care himself about the expense, provided it was delayed, and worked out till the Session was got over.

2536. And therefore you not only estimated the expense but the time during which the Parliament might sit?—Yes, and I put down, that to the 25th of August, 70*l.* a day, 950*l.*; all Parliamentary expenses, 2,178*l.* 7*s.* 6*d.*; witnesses' expenses in Ireland of valuers, not exceeding 100*l.*; expenses of 18 witnesses from Ireland to London, 144*l.*; expenses in London from the 25th of July to the 10th of August inclusive, 15 days, at 15*s.* per diem, 193*l.* 10*s.*; to Mr. Robinson, the assistant-barrister, who served in London, at five guineas a day, 78*l.* 15*s.*; that made 415*l.* 15*s.*; and with the same sum down to the 25th of August, made the expense of witnesses 831*l.* 10*s.* I say then allow for extra witnesses and contingencies 500*l.*, which makes 1,431*l.* 10*s.*; then I put a summary, "Parliamentary expenses to the 25th inclusive, 2,178*l.* 7*s.* 6*d.*, and witnesses 1,431*l.* 10*s.*; making a sum total of 3,609*l.* 17*s.* 6*d.*"

[*The Account was delivered in and read, as follows:*]

Mr. *Thomas Baker.*

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CARLOW PETITION.

Expenses up to Monday, 10th August 1835, inclusive.

	£.	s.	d.
Fees to Mr. Harrison to the 7th, inclusive, when he discontinued attending	172	2	6
To Mr. Hill to the 10th inclusive - - - - - - - - - -	156	3	–
(Deducting the Ballot on 28th, Committee on 29th, and Consultation on 23d, when he was on circuit.)			
To Mr. Howley (deducting Committee, Friday and Saturday) - - - -	150	2	–
House Fees - - - - - - - - - - - - - -	250	–	–
All other Expenses, getting up the Case, Parliamentary Charges and Solicitor to the 10th inclusive - - - - - - - - - - -	500	–	–
£.	1,228	7	6
Expenses per diem from the 10th to the conclusion will average about 70*l.* per diem, say to the 25th inclusive, when the Session is expected to close - - - - - - - - - - - - - - -	950	–	–
All Parliamentary Expenses - - - £.	2,178	7	6

WITNESSES.

Expenses in Ireland of Valuers, &c., not exceeding - - - -				100	– –
Expenses of 18 Witnesses from Ireland to London, at 8*l.* - £.	144	–	–		
Expenses in London from the 26th July to the 10th August inclusive, 15 days, at 15*s.* per day - - - - - -	193	10	–		
To Mr. Robinson, Assistant Barrister, served in London at Five Guineas a day - - - - - - - - - -	78	15	–		
	415	15	–		
The same amount to the 25th, inclusive - - - -	415	15	–		
£.	831	10	–	831	10 –
Allow for Extra Witnesses and Contingencies - - - - - -				500	– –
£.				1,431	10 –

SUMMARY.

Parliamentary Expenses to the 25th inclusive - - - - -	2,178	7	6
Witnesses - - - - - - - - - - - - - -	1,431	10	–
£.	3,609	17	6

2537. That you gave him as the estimate of the total expense, up to the 25th August?—Yes.

2538. And that was furnished to Mr. Hamilton upon Monday the 10th of August?—Yes, Mr. Hamilton, Mr. Raphael and Mr. Vigors, after the committee adjourned upon Monday the 10th August, went into an adjoining room, where this estimate was submitted by Mr. Hamilton or Mr. Raphael to Mr. Vigors, and there never was, to my knowledge, a complaint of its being large, certainly not to me, and none that was brought to my knowledge; but a complaint was made by Mr. Vigors to me, how it was that that estimate which I delivered was so much larger than the expenses that he had paid in previous petitions; and I said, I thought it much better in making out an estimate for Mr. Raphael, not to make it under the amount. I was anxious to show him that there was a probability of his incurring that expense.

2539. How long did you go on after that day, the 10th, when that estimate was delivered?—Nine days, except the Sundays.

2540. Had you any communication with Mr. Raphael, or Mr. Hamilton, upon the subject of the change of counsel retaining other counsel?—Yes, at a very early period, Mr. Raphael was particularly displeased at what he conceived to be the want of attendance of his counsel, Mr. Harrison, and I received the most positive and direct instructions from Mr. Raphael and from Mr. Hamilton, that Mr. Harrison should be discontinued. I confess, that it was in consequence of that, that Mr. Harrison was discontinued; but I had a delicacy in dealing with a man of his rank in the profession, and I did it in such a manner, that he does not know up to this moment, that that decision took place by the express orders of Mr. Raphael. I said it was a very unpleasant business dealing with Mr. Raphael, for he seemed to be so dissatisfied with almost every thing, and with the want of attendance; and Mr. Harrison said, "I wish you would excuse me," and I seized gladly the opportunity, and said "yes," but Mr. Harrison, I believe, to

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this day is not aware that Mr. Raphael was most positive in his directions to discontinue him.

2541. And did you then, by the instructions of Mr. Hamilton or Mr. Raphael, seek other counsel?—Yes, but not in the actual place of Mr. Harrison. Mr. Hill was one of the counsel employed, and Mr. Raphael, after some time, got dissatisfied with Mr. Hill, and, I believe, Mr. Hamilton did participate in that, and I received positive orders that Mr. Hill should be discontinued; and, as I had not the same feeling towards Mr. Hill, not having the honour of being so intimate with him, and as, of course, I obeyed very implicitly the order that I had received, he was discontinued. When Mr. Raphael declined to select the counsel himself, we applied to Mr. Phillips, and he would not have it; and we went to Mr. Thesiger, and he would not have any thing to say to us; and we went to Mr. Serjeant Merewether, he was going out of town; and, finally, we went to Mr. Pollock; Mr. Raphael went with me, and we retained him.

2542. You mentioned just now, some arrangement by which there was a thousand pounds to be devoted to the costs of the petition?—As I understood from Mr. Vigors; Mr. Vigors told me, we have got a thousand to the expenses of the petition.

2543. Had you received to the amount of that thousand, and in what form, and when, from Mr. Vigors: look at the cheque first, for 300*l.*?—I received a cheque, Mr. O'Connell's draft upon Wright, for 300*l.* from Mr. Vigors.

2544. Did you also receive a bill for 399*l.*?—There were two bills handed to me.

2545. One 275*l.* signed by Mr. O'Connell upon Mr. Ayre, and the other 399*l.* by Mr. O'Connell upon Mr. Ayre?—Yes.

2546. Can you tell the dates at which you received those sums, the first 300*l.*?—On the day dated, I apprehend, I got it the next day.

2547. Were both bills handed to you at the same time?—Yes.

2548. Can you give the date?—I think it was the 15th or 16th of August, or very probably the 14th; I have no memorandums.

2549. In a paper which you read just now, you mentioned 17 or 18 witnesses, had that number of witnesses been brought from Ireland?—Yes, they were a certain class of valuers.

2550. Did you learn, or had you any instructions or communication from Mr. Vigors as to the terms upon which those witnesses had been brought, whether any arrangements had been made with them limiting their expenses?—Not at the time when they were brought; but when Mr. Raphael determined to go on, and to fight as long as the session would last, which was his intention up to the last day. Mr. Raphael, and I believe Mr. Hamilton also, thought that some arrangement should be made with the witnesses, that the expenses should be curtailed as much as possible; and that the witnesses should not be allowed to claim that which the officers would award them, but that a specific sum should be given; and the witnesses, who felt extremely anxious upon the case, said that they did not want to make money of it, and they would be perfectly satisfied; and Mr. Vigors having calculated that about 30*l.* would bring them here and back, and pay their expenses, it was agreed that they should receive about 30*l.* a piece, and not claim any further sum.

2551. That arrangement was approved, was it?—Yes.

2552. When you settled with those witnesses ultimately, did you pay them after that rate?—Yes, they all got 30*l.*

2553. In what way did you settle the account, had any money been advanced to them on account before you settled the ultimate balance?—There had.

2554. To what amount had advances been made to the witnesses?—I should say something about 300*l.*

2555. By whom had those advances been made?—I understood by Mr. Maher, and by some persons in the county. Mr. Vigors, I think it was, mentioned it on the 15th, or perhaps at the date of those bills.

2556. Will you state in what way that 1000*l.* was arranged to be credited to Mr. Raphael, and when?—Mr. Vigors brought me those bills, he was accompanied by Mr. Maher and Mr. Fitzgerald, and finally they did settle the account of the 1,000*l.*; the first thing that he did was to settle the account between himself and Mr. O'Connell upon the 1,000*l.*, money having been paid to Mr. O'Connell, as I understood, and he handed me over those bills, and said, "You

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"You are to deduct the discount;" Mr. O'Connell particularly directs it, and on telling over the amount which Mr. O'Connell had received from Mr. Raphael, and the amount which he had paid to Mr. Vigors, it appeared that there was 15*l.* above the amount of the 1,000*l.*, that Mr. Vigors was to return to Mr. O'Connell. Then having settled that account, I ascertained what each man had received in Ireland, and gave him the balance between what he had received and 30*l.*, and then, having collected the amounts that had been paid, and finding them to come to something about 300*l.* paid by Mr. Maher, I said to Mr. Maher, I think, "Will you take this bill?" and he said "Yes;" the rest was money.

2557. Have you got the figures put down as to the arrangement and settlement of the 1,000*l.*; I want you to explain in what form you received the 1,000*l.* which you were to credit, and upon what occasion you returned that bill?—The day that it was brought I returned it. No, I did not return it till several days afterwards.

2558. Had you not an account handed to you of 306*l.* advanced to witnesses on account of the 30*l.* they were each to receive?—Mr. Vigors showed me an account, which I believe to be accurate and correct, of the payment of the witnesses.

2559. Was the amount 306*l.*?—I believe it was, but I ascertained that I was to receive 1,000*l.*, and that the witnesses I was charged with were entitled to be paid, and I obtained the receipt of all those witnesses for 30*l.*, which I meant to hand to Mr. Raphael or his solicitor.

2560. Did the witnesses give you credit for 306*l.* off of the amount they had to receive?—Yes.

2561. Did you say that 306*l.* you understood had been advanced by Mr. Maher?—I did.

2562. Did you allow that 306*l.* as so much paid out of the 1,000*l.* that you had received?—Yes; if I had got the cash I should have handed it to the witnesses.

2563. You would have had either to pay the witnesses or to pay those that had paid them before?—Yes.

2564. There was then 300*l.* and the 399*l.* bill?—Three hundred and ninety-four pounds, for I charged the discount.

2565. And 306*l.* paid to witnesses?—Yes.

2566. And then you say that further payments had to be made, in respect of which you handed over this bill of 275*l.*?—Yes, I handed over the bill in payment of the 306*l.* that was given to the witnesses.

2567. And you then gave credit first for the two bills and the 300*l.* cheque?—Yes.

2568. And you gave that 275*l.* bill as a mode of payment?—Yes.

2569. At the time those two bills were handed to you, was any objection made to the receipt of those bills, or was cash required?—No, I should have taken the bills.

2570. Did Mr. Vigors say anything to you when he offered you those bills?—He said I have got these bills for the 1,000*l.* which I am to pay you for the expenses of the petition; here are two bills which I suppose you will consider to be good; I may endorse them over to you and you will have no difficulty in getting them cashed; and I said very well.

2571. And so the transaction was adjusted?—Yes, between Mr. Vigors and me.

2572. And you were prepared to give Mr. Raphael credit for the 1,000*l.* on account of election expenses?—Yes; I apprized him long since of that, before I paid the witnesses; I sent a summary of all the charges to Mr. Hamilton, requesting that he would inform me what objection there was to any of those expenses, as I would not have paid any of them unless he had consented; before I paid any of the witnesses I sent an entire statement of their claims to Mr. Hamilton.

2573. Had you any communication with Mr. O'Connell upon the subject of your employment in that petition?—Never; I remark here that in his letter Mr. Raphael says, "the agent employed by Mr. O'Connell." It appears to me the most extraordinary thing in the world how that could have been written by Mr. Raphael, or have been sanctioned by Mr. Hamilton, because those two gentlemen knew as well as I that I was not employed by Mr. O'Connell; they had

had the earliest intelligence of it from me. I find in a letter, signed by Mr. O'Connell, a reference to myself, "Send to Mr. Baker the particulars he wants of your qualification," and there is then a note, "The agent employed by Mr. O'Connell." Now, Mr. Raphael's qualification having been questioned in the petition, the Committee are aware that the particulars of qualification must be delivered within 14 days after the petition is presented, and I wrote therefore several letters to Mr. Vigors, pointing out the necessity of Mr. Raphael delivering in the particulars of his qualification, and I am satisfied that it was in consequence of the letter which I sent to Mr. Vigors, when Mr. Vigors communicated to Mr, Raphael the letter that he had received from me requesting him to come to me, that the particulars of his qualification were required; that he did call upon me, not in consequence of Mr. O'Connell directing him to do so, but in consequence of letters that I had written to Mr. Vigors which were put into Mr. Raphael's hands. I had but two communications with Mr. O'Connell, I think, during the election petition, and they were as follows: It was communicated to me by Mr. Vigors, late one evening, that Mr. Raphael was particularly anxious that the hearing of the petition should be postponed, and that any means should be adopted in order to effect the postponement. I said, "I know of no way in which it can be done but by petition presented to the House." Mr. Vigors subsequently called upon me and said that it was the opinion of Mr. Raphael, his anxiety upon the subject being to him, Mr. Vigors, perfectly unaccountable, that the petition should be presented, and if I brought it down to Mr. O'Connell he would present it. I went to the House with a petition applying for a postponement, and that was one of the occasions when I saw Mr. O'Connell. I handed the petition to him and nothing further occurred. The following day Mr. Raphael brought Mr. O'Connell into the Lobby to complain that Mr. O'Connell had not made the motion for the adjournment of the petition, and Mr. O'Connell said it could not be done; that on conferring with Mr. Stewart, or the Speaker, or some person or other, it could not be done; those were the only two occasions when I ever spoke to or saw Mr. O'Connell upon the petition.

2574. Some matter had occurred between you and Mr. O'Connell which had occasioned a difference?—I never had the honour of a personal intercourse with Mr. O'Connell.

2575. Did you write a letter at any time with a view of its being shown to Mr. Raphael, giving an account of the proceedings and prospects in the committee?—Yes, we had a consultation at Mr. Harrison's chambers the evening of the day on which the committee sat, and decided on going into a scrutiny of the votes. Mr. Raphael was to have attended that consultation, but he did not come; he did not communicate any reason why he did not come; and returning from the consultation with Mr. Vigors,—in fact we had a conversation with Mr. Harrison upon the singular conduct of Mr. Raphael,—it was deemed advisable that a letter should be written to Mr. Raphael, informing him that the proceeding would be long and expensive. I went home, wrote a letter, directed to the sitting Members, Mr. Raphael and Mr. Vigors; came down to the House of Commons; saw Mr. Raphael in the Lobby of the House; put into his hands this letter, and he immediately went with it into the House. That letter was communicating to him that the defence would be very long.

2575*. Have you a copy of it?—I have not.

2576. What was the substance of it?—That in consequence of the committee having decided upon going to a scrutiny of the questions of value, it would be very long and very expensive, that I did not think that the defence of the sitting Members could be carried on under 4,000*l.* I think I put that in the letter; I am satisfied that it was, and that it was necessary for them to consider and maturely weigh whether, under the circumstances, they would incur that expense, or that expense should be incurred. Although Mr. Raphael did not attend a consultation until after the 5th of August, and was not in the committee-room, he had persons always there; he had some of his immediate attendants there, and he was in hourly communication with me, and always chatted with me upon what had been each day's work in the committee.

2577. And from the time of Mr. Hamilton's attendance, did you communicate with him as to what was passing in the committee?—Certainly.

2578. Was there any thing in your knowledge that passed that Mr. Hamilton was not apprized of?—Certainly not; Mr. Hamilton had Mr. Harrison's papers

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from the 10th of August; he wrote to me to desire me to send him Mr. Harrison's papers when he was discontinued.

2579. Mr. Harrison's briefs and minutes of evidence, and so on?—Yes.

2580. Sir *F. Pollock.*]—Had you any thing to do with the petitions of May in that year?—Yes, I was agent for the petitioners.

2581. By whom were you employed upon that occasion?—Mr. Vigors, I think; I am indebted for the employment to Mr. Wallace, who is a member of the Irish Bar; but Mr. Vigors was the person to whom I looked for payment, and from whom I received money.

2582. Did all the money you received on that occasion come from Mr. Vigors?—It was handed to me by him.

2583. From whatever source it came at first, it was handed to you by Mr. Vigors?—Yes; I received no money upon that occasion but from Mr. Vigors; I believe he received a great portion of it by subscriptions from the county.

2584. Who employed you in the last Carlow petition?—I must state the circumstances, and leave it to the Committee to judge who employed me; I believe I shall be able to show, if the matter should be questioned in a court of justice, that Mr. Raphael employed me; I have no doubt of it: Mr. Raphael came to me upon the 17th of July, and gave me instructions for the preparation of the particulars of his qualification then signed by him. It was the duty of the agent to take that part; it was with reference to the defence of this petition; he was the first person to whom I communicated, and for whom I did any thing upon the petition.

2585. Was the first interview you had with Mr. Raphael as employing you the occasion when he handed to you the particulars of his qualification?—He drew them there; that was the first time of my seeing him.

2586. That was on the 17th of July?—Yes.

2587. Is it from that that you infer he employed you?—I follow that up.

2588. What else is there?—I take it that when an agent acts for a sitting Member, or as an attorney in a cause, that he is employed in that cause as attorney. Mr. Raphael, upon the 5th of August, bringing me to Mr. Hamilton, and telling me to go on with the case, I hold to be a sufficient retainer; so far as that I think the acting for Mr. Raphael was a retainer.

2589. Between the 17th of July and the 6th of August, did any thing pass between you and Mr. Raphael to induce you to think that he was employing you?—Frequent consultations and conversations took place between us.

Mr. Serjeant *Wilde.*]—I do not know whether this raises any point of law as to Mr. Raphael's liability.

Mr. *Hamilton.*]—I conceive after the meeting in my office that we adopted Mr. Baker. I consider Mr. Raphael, as his professional adviser, bound to pay the whole bill.

2590. Sir *F. Pollock.*]—You have referred to a letter from Mr. O'Connell, dated the 17th of July, do you observe that it runs thus: "My dear Sir,—Send to Mr. Baker the particulars he wants of your qualification. I will stand between you and him for all expenses." Did Mr. Raphael when he came to you mention any thing of Mr. O'Connell, his name, or that he came in consequence of that letter?—He did mention Mr. O'Connell's name, but he never told me this, and never showed me this letter, it came upon me quite by surprise; I never read it, and I never had directly or indirectly the slightest communication with Mr. O'Connell, beyond what I have mentioned.

2591. You have expressed your surprise that it should be mentioned by Mr. Raphael, that you were employed by Mr. O'Connell?—I have.

2592. Do you mean to say that you are now surprised, when you find that Mr. Raphael on the day on which he came to you with the particulars of his qualification, received from Mr. O'Connell a letter telling him to send to you the particulars you wanted of his qualification, and that Mr. O'Connell would stand between you and him for all expenses?—I am, and for this reason, that on the 5th of August when Mr. O'Connell's name was again mentioned, I said I was surprised if Mr. O'Connell had any thing to say to the case that I should be employed in it, because I considered that he was the last person who would allow me to have any thing to do with a case in which he had an interest, and I further said that under the circumstances in which I then was, that if I knew

I knew that Mr. O'Connell had any thing to say to the case, I certainly would not have any thing to do with the petition. This letter of Mr. Raphael's did not appear till the 30th of October, and no act of Mr. Raphael should induce him to say under his hand, I discredit your testimony; for on the 5th of August I said that I had nothing to say to Mr. O'Connell, and if I had known that he had any thing to say to this case I would not have been concerned in it; there were circumstances at that time that made me not like to be concerned in a case with Mr. O'Connell.

2593. Was that letter of Mr. O'Connell, of the 17th of July, shown to you in August?—Never.

2593*. You never saw that till it appeared in the public prints?—No, I never saw any of them, nor was I aware of them.

2594. This is the letter of which you said that you were surprised that Mr. Raphael should speak of Mr. O'Connell as employing you?—It is.

2595. After reading that letter of Mr. O'Connell, are you surprised that Mr. Raphael should think that Mr. O'Connell did employ you?—Yes, I am satisfied that at that time when Mr. Raphael wrote this letter of the 30th of October, he was as well aware as I am now, that I was not employed by Mr. O'Connell.

2596. Read that letter?—I have read the whole of it.

2597. "Do then at once pay the other 1,000*l.* into Messrs. Wrights to my credit; confer with Mr. Baker as to the defence as much as he chooses, I am bound to indemnify you from all expenses beyond that thousand pounds, that is the second sum?"—If the question was put to me with respect to the letter of the 17th of July, Mr. Raphael, I confess, might have had some doubt upon it, but I refer to a letter of the 30th October, written with the approbation and knowledge of Mr. Hamilton, and those two gentlemen were apprized months before by me that I had nothing to say to Mr. O'Connell, and that I would not have any thing to say to the case if I knew that he had any thing to do with it.

2598. Do you know on what day it was during the sitting of the committee which was ballotted for on the 27th of July that Mr. Vigors' tenants were under consideration?—Not till late.

2599. Do you remember whether it was the last day but one or the last day but two, or the last day absolutely?—It was brought under the consideration of the committee the last day but two I think.

2600. Until that case was determined adversely to Mr. Vigors' tenants, was there a prospect of succeeding?—There was in my judgment, and even with the chances of those tenants going against us, there was a prospect of success in my judgment.

2601. Even with that?—Even with that; but at the same time no hopes were held out to Mr. Raphael, I think on the contrary.

2602. Was any representation made to Mr. Raphael that though he might have bad votes polled for him, there were other bad votes on the other side?—There was such a representation made, it was a representation made by me in the letter of the 31st of July, the letter that I addressed to the two sitting Members apprizing them of their situation, and that was my feeling and continues now to be, that there was a prospect of success ultimately; that there were bad votes no doubt for the sitting Members, and that the same decision would apply to a similar description of votes for the petitioners.

2603. Had any votes been struck off from the petitioners' list of voters?—No, because the committee would not allow us to go into the case of the petitioners till the petitioners had placed themselves in a majority on the poll.

2604. Then when Mr. Vigors' tenants were considered to be bad voters by the committee, that reduced the sitting Members to a minority of about 40 or 50?—Yes.

2605. Is your opinion now that if you had continued that contest you might have reduced that majority of 46, and turned it the other way, from the bad votes that there were upon the petitioners' list?—I was led to form an opinion of the case favourable to the sitting Members, from being told that objections were taken at the registry, and that I would be in a situation to prove those objections; and I was led to form that opinion from the communications I had with the registering barrister, who informed me that there were objections made before him at the registration, and he further informed me, that he had papers in

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in his possession, in his house at Dublin, and that if he had those papers with him he said he would be able to show the particular votes that were objected to at the registry. I waited under the expectation that this list would be forthcoming, and if I had got this list, and had been able to show that objections were taken to votes at the registry, I think that I would have been in a situation to show that there were as many bad votes for the petitioners as were struck off from the Sitting Members.

2606. Did you not think that in that event Mr. Vigors and Mr. Raphael would have continued to be the Sitting Members?—Yes, but it was a very desperate case.

2607. Was not the petition ultimately yielded to, and resistance to it withdrawn, because it appeared that you were unable to give evidence of objections having been taken before the registering barrister to those votes that you objected to on the poll of the other side?—In consequence of the decision of the Committee, which was quite unexpected.

2608. What was that decision?—The decision of the committee was this, we had no documents to show that there was an objection taken at the registry. I was led to believe by the registering barrister, and by the agents who were employed for the liberal party in the county, that I would have documents to show that objections were taken; when I found that I had not those papers to show, I endeavoured to see how far I could supply that evidence, and I sought to supply it by witnesses who would point out that particular persons were in their hearing objected to. The committee however held, that that evidence was not sufficient, and they further held, that no objection was to be considered as valid where we did not call evidence to impeach the title, though that evidence was not required from the petitioners. The reason why it was not required from them, as I understood, was this, that the petitioners showed that the county was in some state of turbulence, and that they could not call witnesses, but that the same reason did not apply to us; thus the petitioners' objection was held to be good where no evidence was to be called; but the Sitting Members' objection was not held to be good, because there was no evidence.

2609. When did the committee decide that point?—The day before the termination; two days before that, I did all I could with Mr. Raphael to induce him to give up, to save other votes; and though I had Mr. Vigors's consent and that of the party in the county, Mr. Raphael would not consent, and I was coerced by him, and obliged to go on.

2610. Did Mr. Raphael attend the consultations after a certain time?—He did; I do not think that he commenced immediately, but Mr. Hamilton attended almost every consultation; in fact every from the sixth.

2611, From the time of his coming in?—Yes.

2612. How many consultations did Mr. Hamilton attend; will you undertake to say that he attended more than one?—It was his own fault if he did not; I cannot bring my mind to it.

2613. He might have attended them all?—He might.

2614. Will you undertake to say that he attended more than two?—Yes, I think I may; I cannot be positive.

2615. Do you remember his attending after Mr. David Pollock was retained?—Yes.

2616. Can you charge your memory with his having ever attended before that?—Yes.

2617. Upon what occasion?—In fact every consultation, immediately after the committee adjourned the business of the day, Mr. Raphael, Mr. Hamilton, Mr. Vigors, and Mr. Howley were always together in consultation and conferring.

2618. I do not mean the conversation that may take place immediately after the committee break up, but the consultation held at the chambers of the barrister, or any where else, which is professionally held as a consultation?—I do not know that we had consultations very frequently, because there was great anxiety to save expense, and I think the expenses of the consultation were saved, not as regards Mr. Howley, who, having nothing else to do here, attended to the case.

2619. Then there were no professional consultations?—Mr. Howley was counsel in the case, and he was retained and consulted.

2620. Was

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2620. Was Mr. Vigors present at every consultation that took place?—Sometimes he did not attend; frequently he did, knowing the county so well.

2621. Was Mr. Vigors aware of your expectations or views upon the subject of the contest?—He was, I think; although I had those views, I was very far from inducing any of the persons concerned to suppose that there was any thing approaching to a certainty of success even at any time.

2622. Did you continue to represent that there were hopes of success?—I think not.

2623. Did you hold out no expectation of success?—I think not; I had a good opinion of the case, but I do not know how far I am at liberty before this tribunal to say that the constitution of the committee induced me to form a bad opinion of our success.

2624. You received those bills on the 14th or 15th of August?—I think I got them the day dated, but the settlement did not take place with me till several days after.

2625. You say you made no complaint in receiving bills instead of money?—I said that I did not to Mr. Vigors.

2626. Was any complaint made by any body?—No person had a right to complain but me.

2627. What complaint did you make?—I do not recollect making any; I recollect distinctly the letter to Mr. Hamilton, which is the complaint I dare say which is referred to.

2628. Have you a copy of it?—I think I have; it was an answer to a letter from Mr. Hamilton, which letter I have: it is the 25th of August. On the 20th of August I wrote to Mr. Hamilton: "Dear Sir,—I send you the account of witnesses' expenses. You will perceive that I will require the 500*l.* to-day; I will wait till I hear from you that Sheriff Raphael approves of the amount before I pay the witnesses, for whom no specific sum was agreed on." That is the 20th of August.

2629. What is the answer to that?—The answer is this: "Dear Sir,—If you had named the 500*l.* to me this morning, I might probably have then got a draft from the Sheriff. I will send your note to him, but surely what you have already in hand will enable you to pay the witnesses, to whom do not on any account give more than Mr. Vigors had bargained for; in fact, I repeat you had better this evening draw out a statement of what each witness claims, and of what he has had, and let the Sheriff see it."

2630. What date is that?—There is no date; it must have been the 21st. I wrote again to Mr. Hamilton on the 20th or 21st: "Dear Sir,—I send you the account of the 100*l.* spent in Ireland, which I understand you to consider moderate. Mr. Edge is a land agent, and was a necessary witness to produce and prove leases, and thereby show the holdings and rent of the voters objected to; his bill was taxed by the officer. Mr. Murphy was written for expressly, and will expect the usual payment. You will say whether the bills are to be paid, that I may act accordingly, and do you point out such as you think should be reserved for consideration. I will require the 500*l.* in cash, as I do not wish to have the bills given me turned into money till we finally arrange."

2631. Mr. Serjeant *Wilde.*] Is it bill or bills?—Bills; but I do not think that I had settled with Mr. Vigors till after the 26th of August for the payment of witnesses. I have another letter, which is dated Monday the 24th of August, from Mr. Hamilton: "Dear Sir,—The Sheriff was with me yesterday, and I suggested to him the propriety of seeing Mr. Vigors for the purpose of his interference with the witnesses, particularly Mr. Murphy; for on one of our discussions respecting the absence of that gentleman from the committee, Mr. Vigors stated distinctly that Mr. Raphael had no right to complain, as Mr. Murphy was not here as a witness, but on his own business; I wish you would send in your bill, and every charge respecting this business; it is rather hard on the Sheriff, who has paid 2,000*l.* in cash towards the expenses of the petition, that he should be called on to advance any more cash in consequence of his former payments being converted into long-winded bills; if he will adopt my advice, the whole proceedings should be made public. I will send your note to his house, but know not where he is." This is my answer to that letter, dated August 25: "Dear Sir,—I enclose a letter I received to-day from Mr. Vigors; Mr. Robinson has obtained an order to tax his costs. It is clear that he and the other witnesses must be paid, and the sooner they are got rid of

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of the better, both in point of expense and character. The Sheriff has nothing to complain of; he agreed and undertook to pay the expenses. Whatever cause of complaint he may suppose he has against Mr. O'Connell should not be mixed up with the petition expenses; these, he must be aware from the estimate given him, must amount to at least 3,000*l.*, so that there is nothing unreasonable in requesting an advance at present of 500*l.*, particularly as he knows I got bills from Mr. Vigors and not cash. I will very soon send you in the account; but I want directions about the payment of the witnesses referred to in my note of yesterday, and the cash advance in to do so." That is the sole complaint contained in this letter that I ever made upon the subject of bills. I had intended to apply the bills in payment of professional charges, and I wanted the 500*l.* that Mr. Hamilton led me to believe there was a facility in getting from Mr. Raphael.

2632. If you had received the money instead of bills, should you have had occasion to make application for that 500*l.*?—Certainly, for I had great apprehension and doubt whether I should be able to get the money from Mr. Raphael.

2633. Had you expended money to the amount of more than the two bills for 399*l.* and 275*l.*, which you then had in your possession?—I believe so, there were four counsel in the case; I have no doubt of it; at all events the bills which I held would not do more than pay the Parliamentary charges, the briefs and matters of that kind; it is quite clear that Mr. Raphael must feel that there was a large balance due.

2634. Have you ever made out a debtor and creditor account, and sent it in to Mr. Raphael?—I have not, and I will give the reason; he has repeatedly applied to me, I believe, the account was required from me, not for the purpose of paying me, but for some other purpose. I found in the letter from Mr. Hamilton to me of the 25th of August this expression:—"If Mr. Raphael will take my advice, he will make the whole transaction public." And I knew well Mr. Raphael would do nothing that Mr. Hamilton would not approve of, and I think that he would do any thing that Mr. Hamilton would approve of. And I further found in a letter from Mr. Hamilton, September 1st, this expression:—"I want the account for very particular purposes;" and this satisfied me that it was not for the purpose of paying me; and having unfortunately had some squabbles, by which I had been brought before the public, and having no wish to have my name brought before the public in reference to Mr. O'Connell and the Carlow petition, I did not choose to send in that account to enable Mr. Raphael to publish it, an intention which I told to Mr. Vigors.

2635. Are you now enabled to say in what manner you received the 1,000*l.*?—I am.

2636. Will you state that?—There was the 300*l.*, and I received those two bills upon the settling on the 25th or 26th of August, something late in the month of August with the witnesses, Mr. Maher, was present, also Mr. Vigors and Mr. Fitzgerald; and I found that the witnesses had been paid by Maher and by parties in Ireland a very large sum of money, which Mr. Maher said I was to pay him. Upon making up the accounts, finding that he had paid the witnesses about 300*l.*, I then, instead of giving him cash, which I felt no disposition to do, gave him one of the bills; but I received to the full amount by the bills, and cash of the 1,000*l.*, and I told Mr. Hamilton and Mr. Vigors that I would give credit for the 1,000*l.* that I had received from Mr. Vigors as from Mr. Raphael. I have the copy of the letter from me to Mr. Hamilton, in reply to one in which he stated, that he wanted the account for very particular purposes; my letter was as follows:—"Dear Sir, I very much regret the delay in sending in the account, but having several others more pressing to attend to, I hoped the delay of a few days might not be inconvenient to you or the Sheriff; I will send the account to your office in the course of a few days. I intend to give credit for 2,000*l.*, charging thereout the payments to witnesses, &c., the receipts for which I hold; you are aware that of this I had about 679*l.* or thereabouts in bills, which there can be no doubt are good, and will be duly met; including these, and every other sum to be credited, the amount will be 2,000*l.*"

2637. Will you have the kindness to state in what manner you received the 1,000*l.* from Mr. Vigors, or Mr. O'Connell, or any body?—To Mr. O'Connell I had never any thing to say. Mr. Vigors handed me a 300*l.* cheque, and he handed me two bills, 399*l.* and 275*l.*; and upon settling with the witnesses,

and

and finding that Mr. Maher had paid 300*l.* that was due to the settlement of the witnesses, I handed him over the bill for 275*l.*, and the rest in cash; at all events he got full credit for the amount that he had paid.

2638. Mr. Serjeant *Wilde.*] Will you see whether that amount was 306*l.*?—I believe it was.

2639. Sir *F. Pollock.*] Will you state how you make out the 1,000*l.*?—I make out a cheque, 300*l.*; bill for 399*l.*, less by interest; 394*l.* payments to witnesses by Mr. Maher, (for which I paid him by bill 275*l.*, and cash), 306*l.*

2640. Did you receive that sum of 306*l.* from Mr. Vigors, or from any body else?—No.

2641. How can you make out that you received 1,000*l.*?—I received the two bills, or rather I received receipts for money which was paid for me.

2642. Did you receive the two bills, and expend one of them, that for 275*l.*, in payment of witnesses?—I paid Mr. Maher the money that he had paid, on account of the defence of the Sitting Members, to witnesses.

2643. At what value was the 275*l.* taken?—Less by the interest.

2644. How much?—Two or three pounds; I had originally charged that in making up the account of the 1,000*l.*; that Mr. O'Connell was to pay interest. Mr. Vigors said, "there should be an account of interest;" I charged the interest for the 399*l.* against Mr. Vigors; and I charged in like manner against the bill of 275*l.*; of course I gave Mr. Maher the benefit of that discount; I believe so.

2645. The amount of the interest upon the 399*l.* bill was 5*l.*?—Yes.

2646. And the other was 2*l.* or 3*l.*; have you any means of telling the Committee whether any calculation was made?—Yes, it was made; there was a bit of paper upon the table; a calculation was made upon it, and Mr. Vigors took all the papers and the calculation with him away.

2647. You say when Mr. Vigors brought the bills, the first thing was to settle the account with Mr. O'Connell?—Yes, he brought me those bills on the 15th of August, and asked me, "Will these answer for you?" I said, "They will do very well." Upon the 25th or 26th of August, on settling with the witnesses, he told me the bills and cash already received more than exceeded the thousand pounds, and that he wanted to settle that account; he wanted to see how much it was those bills exceeded the thousand pounds that was to be paid, and it was upon that occasion that I handed over the bill for 275*l.* to Mr. Maher.

2648. You say that there was 15*l.* over; how was that made out?—Mr. Vigors told me that he had received 50*l.*; he got the 300*l.* cheque which he handed to me; he had received 50*l.*, at least he charged himself with it; he had received those bills, and I think that will make up the amount.

2649. Mr. Serjeant *Wilde.*] Was it 250*l.*?—No, I make it 1,016*l.*, 300*l.*, 50*l.*, 394*l.*, and 272*l.*

2650. What was the sum of 50*l.*?—It was cash, as given to me.

2651. Mr. Serjeant *Wilde.*] There had been sent to Ireland 500*l.* and 304*l.*, and there remained a cheque given for 250*l.*, and Mr. Vigors takes 50*l.* of that first thousand pounds, and applies that to the second thousand pounds.

2652. Sir *F. Pollock.*] On what day did you make that calculation with Mr. Vigors?—I think the 26th of August, or 27th; it was late in August.

2653. Mr. Serjeant *Wilde.*] If the Committee understand you correctly, according to the arrangement made with the witnesses and approved by Mr. Hamilton and Mr. Raphael, you would have had to pay them 510*l.*?—Yes.

2654–5. There had been, as you were informed, and as was afterwards allowed by the witnesses, 306*l.* paid in part of that sum?—Yes.

2656–7. And you paid them so much the less, and took the receipts as cash?—Yes.

2658. If the Committee understand you correctly, taking those receipts as cash, you would have received 306*l.*, 300*l.* in cheque, 394*l.* in bill, and 275*l.* in bill, which would make 1,275*l.*, which overpaid them 275*l.*, and you returned the 275*l.* bill?—Yes, my anxiety was that I should get the thousand pounds in some way or other in receipts, bills or money.

2659. And having received this you returned to Maher the bill of 275*l.*?—I gave him that instead of money.

Mr. *Thomas Baker*.

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2660. Which left the 1,000*l.* in your hands?—Yes.

2661. How soon after the committee sat did you form an unfavourable judgment of your tribunal?—Immediately.

2662. When first did you become aware of the necessity of your giving evidence that the voters had been objected to at the registry?—Counsel was instructed by me to oppose a scrutiny at all or the opening of the registry. We had succeeded in 1833, I acting for the same party, which was called the Liberal party, in closing the register; the committee, on that occasion, holding that the registry was conclusive. I instructed Mr. Harrison to make the same attempt; he was unsuccessful, and the committee held, that though they had full power to inquire into the validity of every vote upon the registry, it was expedient not to inquire into any case where an objection was not made below; then I feeling the difficulty that I was in in acting for this party, who had no paid agent at the registry, I endeavoured to get the committee to rescind the latter part of the resolution and leave it open; if it had been so, I have no doubt that our cause would have succeeded.

2663. When was it that the committee came to that resolution?—The 31st of July; and it was at the consultation after that decision had been come to by the committee that I wrote a letter to the sitting Members, informing them that the inquiry would be long and tedious and cost 4,000*l.*

2664. Were you apprised at that time that there had been no paid agent for the liberal interest at the registry?—I knew so much of the party that I had a perfect knowledge of it.

2665. How long were you engaged in contesting the votes of the sitting members?—Up to the 18th of August, I think, or on the evening of the 17th.

2666. Had you any conversation with Mr. Vigors, either at the time of the ballot or between that and the 31st of July, as to his opinion of the state of the committee and the probable result of the petition?—I do not think that he knew it as well as I did; we often chatted upon the subject.

2667. Can you say whether or not he considered his case hopeless on the 31st of July?—It did not bear so favourable an aspect, but we did not consider it hopeless, I think; not at least in my recollection.

2668. What do you suppose, from the best calculation you can form, was the amount of your bill on the 25th of August; when did you receive the bills?—On the 14th of August.

2669. What was the amount of your bill up to that time?—I should say 2,000*l.* if not more; it was the 5th of August when Mr. Raphael was apprised fully, indeed I thought that he was under that impression before, but, however, upon the 5th of August, after the interview that took place between him and me, there could be no misconception on his part; on that occasion there was but 1,300*l.* expended, but he was fully aware he was to go on.

2670. You mentioned that Mr. Raphael, on one occasion, mentioned Mr. O'Connell; you were asked whether Mr. Raphael referred to Mr. O'Connell's name, will you be so good as to mention in what way Mr. Raphael referred to Mr. O'Connell's name?—He said that he had seen Mr. O'Connell at the House, and also had seen Mr. Vigors. This was when he came to instruct me as to his particulars of qualification.

2671. What did he say of Mr. O'Connell?—He said that Mr. O'Connell had told him to come to me, that he had received the letter, that he had seen Mr. Vigors and Mr. O'Connell at the House, that Mr. O'Connell told him to come to me; he then chatted with me, and appeared not to understand that I had been the agent for the petitioners against Messrs. Bruen and Kavanagh's return, and said he was surprised at the favourable view Mr. O'Connell had of me when I seemed to be opposed to him.

2672. Did you say anything upon the subject of being employed by Mr. O'Connell?—I never thought that I was employed by Mr. O'Connell.

2673. What did you say to Mr. Raphael when he said that Mr. O'Connell had desired him to bring you his qualification?—I think more surprise, but Mr. O'Connell's name was coupled with Mr. Vigors, and as Mr. O'Connell was brought into this affair at Mr. Raphael's suggestion, as his friend, I was not surprised at his name being used, but not as employing me as agent.

2674. When was it you mentioned that you would have nothing to do with it if Mr. O'Connell was the principal?—On the 5th.

2675. Did you ever receive a check from Mr. Vigors of 250*l.*?—No, there

was

Mr. *Thomas Baker.*

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was no dispute whatever about the witnesses; it was arranged that they should get 30*l.* a-piece, which amounted to 510*l.*, which was paid by me and Mr. Maher.

2676. Do the items of disbursement, as well as the items of credit which you have spoken to, all refer to the election at which Mr. Raphael and Mr. Vigors were returned?—Yes.

2677. Did that wish of the discontinuance of Mr. Harrison arise from Mr. Hamilton or from Mr. Raphael?—From Mr. Raphael; but Mr. Raphael was very decided upon the subject of both.

2678. Have you thought it right, in consequence of the situation you stood in with regard to Mr. Raphael, to decline communicating with Mr. Parkes?—Yes; and I may state that I have adopted the same course with regard to Mr. Lyon; I said that if they brought me Mr. Raphael's directions, I should be desirous to give all the information in my power; but Mr. Raphael was the person entitled to all the information I could give as my client. Mr. Raphael has authorized me to give evidence before this Committee.

The Rev. *James Maher*, called in; and Examined.

The Rev. *James Maher.*

2679. Mr. Serjeant *Wilde.*]—YOU were a member of the Liberal Committee Carlow?—I was.

2680. Did you assist Mr. Vigors in the election of 1835, when he and Mr. Raphael were returned?—I did.

2681. Did you receive any money from Mr. Vigors for disbursements; tell the Committee whether you received 120*l.* and 10*l.*?—I did.

2682. Look at that paper, and say whether that is an account of the manner in which you disbursed that sum to persons for expenses—[*an account being handed to the witness*]?—It is.

[*The Account was delivered in, and read.*]

PAPER No. 1, referred to in Mr. *Maher's* Account.

Sums paid by Mr. Maher from the 21st June 1835 to July 20th.

	£.	s.	d.
Poor of Carlow	10	–	–
Henry Porter	4	10	–
Wade	1	–	–
James Dillon, travelling expenses	1	10	–
Bolger, printing	17	–	–
John Walsh	1	–	–
Owen M'Cabe	4	10	–
Barrett at Tullow	10	–	–
Berwick	5	–	–
Ditto	10	10	–
Murphy	5	5	–
Barrett	5	5	–
Michael Toby	2	–	–
Flanagan	3	–	–
Berwick and Murphy	10	10	–
Maryborough	6	–	–
Fitzgerald	1	–	–
Mr. Fitzgerald, by Mr. Hume, for expenses at Tullow	10	–	–
Bolger, balance for printing	2	10	–
Miss Bolger	6	–	–
Mr. Hughes	1	–	–
To Mr. Fitzgerald, for Bunbury	1	10	–
Mrs. Hanlon	6	9	–
Mrs. O'Neil	2	11	–
Byrne, pensioner	2	–	–
£.	130	–	–

2683. Besides that, do you remember 17 witnesses being brought over from Ireland?—Yes.

2684. Did you out of the money furnished by Mr. Vigors make payments to those witnesses to the amount of 306*l.*?—I know nothing about the payments which Mr. Vigors has made; I received from Mr. Vigors, I believe at Mr. Baker's house, a bill of 275*l.* and this I handed over as soon as it was cashed to Mr. Fitzgerald; I believe he has the account of that.

 2685. Were

The Rev. *James Maher.*

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2685. Were you present at the settlement of the account between Mr. Baker and Mr. Vigors, in which settlement were comprised certain advances to witnesses?—It was at that time when a settlement took place between Mr. Baker and Mr. Vigors that I received the bill for 275*l.*

2686. Were those payments made by you or by Mr. Vigors?—I did not make the payments myself; I handed the money over to Mr. Fitzgerald.

2687. Do you remember, upon the occasion of the settlement with Mr. Baker, any claims being made in respect of advances of money to the witnesses who were in attendance?—Yes.

2688. Do you remember the amount claimed in respect of those advances to witnesses?—No, I do not; I did not trouble myself much about the pecuniary transactions.

2689. At the close, you received a bill of 275*l.*?—Yes.

2690. With whom did Mr. Baker make the settlement?—With Mr. Vigors.

2691. You were present, and who besides?—I think Mr. Fitzgerald was in the room at the same time.

2692. You had not made any payments which were claimed on account of witnesses?—No.

2693. The account was with Mr. Vigors?—Yes.

2694. That 130*l.* was independent of the 275*l.*, or the produce of the bill?—Yes, I received this 130*l.* in Ireland.

2695. You got that bill discounted, and handed the produce to Mr. Fitzgerald?—I did.

2696. Did you retain any part of that bill, or hand the whole proceeds to Mr. Fitzgerald?—I handed him 268*l.*

2697. And 2*l.* afterwards?—Yes.

Daniel O'Connell, Esq. a Member of the House, was called.

Daniel O'Connell, Esq. M. P.

Mr. Serjeant *Wilde* stated, that in his opinion he had so abundantly cleared the character of Mr. O'Connell by other testimony, that he did not wish to examine Mr. O'Connell, but that an opportunity was afforded to Sir F. Pollock and to the Committee of examining him.

Sir *F. Pollock* stated that he had no question to put.

Mr. *O'Connell.*] I am exceedingly desirous that any question that may be supposed to throw light upon this transaction should be asked. I would wish to add simply this, that the terms of my guarantee to Mr. Raphael, in my opinion, go to an extent which have not been complied with; a difference having arisen between me and him as to the construction of those terms, and he having paid money subsequently; I always have been, and I always shall be, ready to leave that question to any one gentleman of integrity whom he may appoint. If that gentleman puts the construction that Mr. Raphael puts upon the guarantee, whatever becomes of it, without now charging Mr. Vigors, I will most readily pay it out of my own pocket, if he differs from me.

Mr. Serjeant *Wilde* stated that Mr. John O'Connell was in attendance, if Sir Frederick Pollock or the Committee wished to examine him.

Sir *F. Pollock* stated that he had no question to put to Mr. John O'Connell.

The Chairman stated that the Committee had no question to put.

[*Mr. Serjeant Wilde delivered in the Address of Mr. Raphael to the Electors of Carlow, which was read, as follows:*]

London, 8th June 1835.—To the honest and independent Electors of the County of Carlow.—I am encouraged by some friends of Ireland, who know the sincerity of my attachment to that ill-treated Country, to offer myself as a candidate to represent the wants and wishes of the people of Carlow County in Parliament. I am the more readily induced to do so, as I have, I hope, the means, and I know I have the inclination, to become a landed proprietor in your county. The principles on which I offer myself to your consideration, are those which I have always cherished; namely, the principles of Civil and Religious Liberty. Should you do me the honour to elect me, I am determined to aid His Majesty's present Ministers in the constitutional working-out of all the beneficial results which ought naturally to follow the great measure of Parliamentary Reform. Every just and practical measure calculated to extinguish the present odious Tithe system in Ireland shall have my decided support; and to the reform of Municipal abuses, and the abolition of Corporate Monopoly in Ireland,

Daniel O'Connell, Esq. M. P.

March 1836.

Ireland, as well as in Great Britain, I will devote my best and most unremitting energies. No man can be more deeply convinced than I am, that the Irish Corporations require correction and amelioration more than those of any other part of the empire. I therefore address you as the sincere and unequivocal friend of Reform, of retrenchment of public expenditure, and of the correction of all abuses, and as the steady supporter of all the wise and salutary measures of His Majesty's present Ministers. Should you do me the honour to elect me, you shall always find me faithful to my principles as I now announce them to you, and unremitting in my attention to all my Parliamentary duties. I regret that the cares of the high office in which the kindness and practical liberality of the citizens of London have placed me, prevent me from soliciting your suffrages in person; but I am sure that my cause will not suffer from an absence which can be attributed only to my fidelity to my other public engagements. I have the honour to be your very obedient faithful Servant,

Alexander Raphael.

Mr. Serjeant *Wilde* stated that he had no other evidence to offer to the Committee, and suggested whether the Committee would wish to hear Sir Frederick Pollock and himself make observations upon the evidence.

Sir *Frederick Pollock* stated that the terms of his appointment by the House, as nominee, were only that he should examine witnesses, and that he had not applied his mind to the evidence with the object of summing it up in any way.

REPORT

FROM THE

SELECT COMMITTEE

ON THE

STATE OF THE COAL TRADE:

TOGETHER WITH THE

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
2 *August* 1836.

522.

Mercurii, 1° die Junii, 1836.

Ordered, THAT a Select Committee be appointed to inquire into the State of the Coal Trade, as respects the Supply of Coal to the Port of London, and the adjacent Counties, from the Rivers Tyne, Wear, Tees, and other Places; and into the several Charges added to the Price of Coal.

And a Committee was appointed of,—

Mr. Hume.
Sir Matthew White Ridley.
Mr. Wakley.
Mr. Bell.
Mr. Pease.
Mr. Pusey.
Mr. Lambton.
Mr. Edward Curteis.
Mr. Aaron Chapman.
Mr. Ingham.
Major Beauclerk.
Mr. William Crawford.
Mr. Wason.
Mr. Humphery.
Mr. Hector.

Ordered, THAT the said Committee have power to send for Persons, Papers and Records.

Ordered, THAT Five be the Quorum of the said Committee.

Martis, 2° die Augusti, 1836.

Ordered, THAT the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, to The House.

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APPENDIX - - - - - - - - - - p. 205

REPORT.

THE SELECT COMMITTEE appointed to inquire into the State of the Coal Trade, as respects the Supply of Coal to the Port of *London* and the adjacent Counties, from the Rivers *Tyne*, *Wear*, *Tees*, and other Places; and into the Charges added to the Price of Coal;" and to whom Two Petitions, one from the County of *Middlesex*, and the other from the Inhabitants of *Westminster*, were referred; and who were empowered to Report their Opinion, together with the Minutes of Evidence taken before them, to The House;——Have examined the Matters referred to them, and have agreed to the following REPORT:

THERE have been several Inquiries, by Select Committees of both Houses of Parliament, which have proceeded to a considerable extent into the History of the Coal Trade.

The Committee in 1800, gave an account of the Coal Trade from 1769 to that period, with some details of the origin of the Limitation of Vends; and, also, of the Frauds in that Article, and the Impediments to a Free Trade in London. They called the attention of Parliament to the almost inexhaustible quantity of Coal, which might be obtained from the Counties of Worcester, Stafford, &c. through the medium of Inland Navigation, and recommended the removal of all impediments to that supply.

Commons' Reports, 23 June 1800 and 31 Dec. 1800.

The Committees of 1829 and 1830, in the Lords and Commons, continued the inquiries from 1800 to that period; they recommended many changes which have, since then, been carried into effect; and which have produced very important results in the Trade in Coals.

Lords' Report of 1829, Par. P. No. 9. Commons' Report of 1830, Par. P. No. 633.

Your Committee, therefore, considered that they would best fulfil the Orders of The House by commencing their inquiries from 1830, the period when the Select Committees of both Houses of Parliament closed their inquiries into the state of the Coal Trade; noticing only such points of the Evidence taken before those Committees as may be necessary to explain the then existing system.

Your Committee have also considered the allegations of two Petitions referred to them by The House: one from the County of Middlesex, the other from the Inhabitants of Westminster, both nearly to the same effect.

Appendix, No. 1.

The inquiries of Your Committee have been directed,

1st. To the present state of the Coal Trade in the North, and to the changes that have been made therein since 1830.

2d. To the present state of that Trade in London, and to the alterations made therein since that period.

3d. To the circumstances arising out of, and incidental to, these alterations; and, to what remedial measures may facilitate the supply of that necessary article.

First Division of Inquiry.
Regulation of the Vend.

The first and most prominent objects of Your Committee's attention, were the Regulation of the Vend of Coals in the North, embracing the greater part of the exports of the Rivers Tyne, Wear and Tees; and the effects which that Regulation has had on the Supply for this Metropolis.

In order that The House may be informed of the Origin of the Regulation, or Compact of the Coal-owners, Your Committee submit the following Extracts from the Report of the Select Committee in 1800.

Report of Select Committee of Commons, 31 Dec. 1800, p. 5.

"It is necessary for Your Committee to observe, that previous to the Com-
"pact directly pointed at," (the Compact among the Northern Coal-owners, under the denomination of the "Limitation of the Vends") "an agreement
"is stated to have taken place in the year 1771. Meetings were called in con-
"sequence of alleged irregularities, to which the Coal Trade was at that time
"subject. The result of such meetings produced a determination to fix the
"Prices of Coal, which appear to have been settled in the ratio of the supposed
"value from 12*s.* to 15*s.* the Newcastle Chaldron, and the agreement seems to
"have been common alike to the Tyne and the Wear."

"About the year 1786 or 1787, a particular species of compact was resorted
"to, which, with temporary interruptions, Your Committee believe to have
"existed ever since. Its avowed object was to apply a remedy to a heavy
"depression in the price of certain kinds of Coal, and to avert the danger
"connected with it, of the abandonment of several Collieries."

"This compact appears, with occasional alterations in its conditions, affect-
"ing particular Pits, to have been annually renewed, and though suspended
"since the 1st of January 1800, the interruption has arisen from a disagree-
"ment of the parties concerned on the terms of its renewal, and is by no
"means to be deemed a final dereliction of the measure." "The compact is
"a general one, between all the Collieries of the Wear and those of the Tyne,
"by which the whole of the Estimated Vend on both Rivers, being divided,
"three parts are to be supplied by the latter, and two by the former."

The precise nature of the agreements for the Regulation of the Vend of Coals in the North, which have continued, with some interruptions, from the year 1771, to the present time, is rendered very clear by the Evidence of Robert William Brandling, Esq., a part owner in three Collieries on the Tyne, and Chairman of the Committee of Coal-owners at Newcastle.

Q. 1, *et seq.*

Commons' Report of 1830.

In 1830 he explained to the Committee the nature of the Regulation, as follows:

"When it is understood by the Coal-owners that all the parties interested in
"the Coal Trade on the Tyne and Wear, are willing to enter into an arrange-
"ment of this nature, a Representative is named for each of the Collieries;
"these Representatives meet together, and from amongst them choose a Com-
"mittee of Nine for the Tyne, and Seven for the Wear; this being done, the
"Proprietors of the best Coals are called upon to name the price at which
"they intend to sell their Coals for the succeeding 12 months; according to
"this price the remaining Proprietors fix their prices; this being accom-
"plished, each Colliery is requested to send in a statement of the different

"sorts

" sorts of Coal they raise, and the powers of the Colliery; that is, the quantity " that each particular Colliery could raise at full work; and upon these State- " ments the Committee, assuming an imaginary basis, fix the relative propor- " tions as to quantity between all the Collieries, which proportions are observed, " whatever quantity the Markets may demand. The Committee then meet " once a month, and according to the probable demand of the ensuing month " they issue so much per 1,000 to the different Collieries; that is, if they give " me an imaginary basis of 30,000, and my neighbour 20,000, according to " the quality of our Coal, and our power of raising them in the monthly quan- " tity, if they issue 100 to the 1,000 I raise, and sell 3,000 during the month, " and my neighbour 2,000; but in fixing the relative quantities, if we take " 800,000 chaldrons as the probable demand of the different Markets for the " year, if the Market should require more, an increased quantity would be " given out monthly, so as to raise the annual quantity to meet the demand, " were it double the original quantity assumed."

In the Evidence before Your Committee, Mr. Brandling states, that " the " nature of the Regulation has been the same whenever it has been renewed, " the object being to apportion the Vend to the different Collieries, according " to the quality of the Coal and the powers of raising that Coal.

Nature of the Regulation of Vend. *See* Evidence, Q. 9.

" Do you mean by that to affix what quantity should be supplied by " each Colliery?—Yes, with relation to their competitors, without any refer- " ence whatever to the total quantity to be supplied to the market.

Q. 10.

" Have you any statement of the quantities fixed on by that Vend for " each Colliery to supply?—There is no quantity fixed for each Colliery, " except once a fortnight; the basis is merely an imaginary quantity; it is " a quantity assumed, and may be 800,000 chaldrons or 1,000,000 chaldrons; " the basis is taken merely to apportion the relative quantities as between the " Collieries; the Coal-owners meet once a fortnight, or 26 times a year, and " according to the price in the London market (by which we judge either of " the deficiency or excess of the supply), the quantity issued, which is to be " divided amongst the Collieries, is determined.

Q. 11.

See Appendices, No. 26 to No. 29.

" What do you mean by 'the excess of supply in the London market,' " and how do you ascertain that?—The way in which that is ascertained is " this: we get the price from London, we know the price the Collieries have " fixed as their selling price at the places of shipment; we know also what is " the average freights from the shipping ports to London; we add these two " together, and we consider that as the fair average price which the Coal " ought to bring in London. If we see by the markets in London that the " price in the Pool has exceeded the price we consider to be the fair price, " which is a price something below what the Coals from other districts can " be supplied at, we issue a large supply; if it is below that we consider the " supply is more than the demand requires, and we diminish it; at the end " of each fortnight we meet and examine these lists, and according to them " we apportion the quantity to be supplied by each Colliery.

Q. 12.

" Then are the Committee to understand that it is not the quantity " which regulates your arrangement in the North, but the price which the

Q. 13.

" article brings in London which induces you to increase or decrease the " supply ?—The price in London is the only guide as to the quantity issued " by us."

Com. Rep. of 1830, p. 264. Ditto, p. 265

In 1830 Mr. Brandling stated to the Committee that " the monthly quanti- " ties of the Vend were regulated by the view the Committee took of the pro- " bable demand for the ensuing month: that the actual quantity is fixed once " a month or once a fortnight, according to the probable demand in the dif- " ferent markets; and the Market Lists transmitted from London, showing the " quantity on hand, is one of the circumstances which regulate the monthly " quantities."

Price at Shipping Port, how fixed. Q. 14.

In order to fix the price, which is considered in the North a remunerating price, the Committee of Coal-owners calls on the Proprietors of the best Coal to state the price at which they intend to sell their Coals (the present Regulation Price of the best Stewart's Wallsend being 28*s.* 6*d.* the Newcastle Chaldron), and the Proprietors of the inferior Coals then fix the prices at which they will severally sell theirs. The Coal-owners, having fixed their prices, then state what quantity on the basis they ought to have, to ensure a Q. 17. reasonable profit. The greatest difficulty the Committee experience is in satisfying the parties that they have got their fair proportion of the Vend in the general arrangement. Every difference which may happen between the parties is referred to two indifferent persons, who, if they differ, appoint an Umpire: the great object of the Regulation being to enable all to have a fair Q. 19. proportion; and all to have some profit. The items forming the cost of pro- Q. 62. 64. duction, including the expense of bringing the Coals to the Pit-mouth, and to the Staith, or Shipping-place, are not considered by the Committee of Coal- Q. 21. owners, (although they may be generally known to them), in allotting to each the particular portions of the Vend. The agreement is voluntary on the part Q. 30. of every Coal-owner; and all parties must concur before the agreement is binding ón any one.

Quantities, how regulated. Q. 31.

Having obtained the relative price of each Colliery, either by agreement, or by arbitration, the Committee of Coal-owners then proceed to examine the Viewers, as to the general powers of the Collieries to raise the particular description of Coals; they ascertain the proportional power of raising Coals of the same quality, and of different qualities, from the different Pits. They assume 800,000 chaldrons, or any imaginary quantity, to be the basis of the supply; and, according to the price and powers of the different Collieries, proved before Q. 32. the Committee, the proportion, which each shall have to sell every fortnight, is regulated, and the quantity fixed by the Committee must not be exceeded in that fortnight; but, during the year, the Committee may double or treble the assumed quantity for the basis. They have no fixed rule for allotting the proportion of vend Q. 41. to each colliery, being sometimes by price, sometimes by the powers of raising, sometimes by both; and the whole is matter of negociation between the Coal Proprietors and their Committee. The Coal Trade was open part of the year 1833, and on the 13th July a General Meeting of Coal-owners was held at the Coal Trade Office, Newcastle-upon-Tyne, Mr. Brandling in the Chair, when resolutions were agreed to, with the view of including all the Collieries in the Q. 69. Tyne, Wear and Tees, ports of Seaham, Hartley and Blyth, in an agreement, " whereby the supply of Coals should be proportioned to the demand at a fair " remunerating price;" and each party was required " to deposit in the hands

" of

" of the Chairman a promissory note payable on demand, to the amount of " 20*l.* per 1,000 on the basis, as a security for the payment of such fines, as " might be enacted as penalties for violating the regulations."

Articles of Agreement were afterwards entered into by each of the Coal-owners, according to the Resolutions then adopted; the extent and object of which will be best understood by reference to the Evidence. *See* Copy, Q. 72.

If, during that Agreement, any of the Coal-owners exceed their allowed issue, and cannot give a satisfactory reason therefore, they are liable to the penalty which they had voluntarily subjected themselves to in the Agreement: but the Agreements only continue from year to year, and may be renewed, or not, as the parties please. The Agreement of 1833 continues now substantially in force, except the clause respecting the Fines. Q. 76. Q. 79. Q. 80.

The 7th Resolution of that Meeting required the Committee of Coal-owners to meet monthly, to regulate the quantities to be vended by each Colliery in each District; but they now meet every fortnight for that purpose. The Tyne, including Hartley and Blyth, and the Wear, first concurred in that Regulation; and Mr. Thomas Storey states, that nine of the Collieries on the Tees joined the regulated trade for the first time, on 1 March 1834, and have continued to the present time. Q. 85 Q. 1511.

The Regulation of Price, established in the beginning of the year 1834, was fixed upon the principle, that the best Coals were to produce 26*s.* 6*d.* the Newcastle chaldron of 53 cwts., on board at the Port of Shipment; but, shortly after that Regulation was made, it was found that the higher-priced Coals were fixed at too low a rate to allow of the sale of those of an inferior quality; and the Owners of the best Coal were allowed by the Committee of Coal-owners to raise the price 2*s.* per chaldron, which was followed by those next in quality until the relative prices of all qualities were adjusted. Mr. Brandling states to Your Committee, that before the late Regulation, and during the competition of a free market in London, " there was great variation of price, both at the " place of shipment and of consumption, and of course, from the glut in the " market, a great reduction of price: that the open trade produced a ruinous " competition, and many of the Collieries must have been laid in had that " depreciation continued;" that " the natural effect would have been, that those " Collieries that survived the shock would have raised the price to have remu- " nerated themselves for the loss they sustained;" that " the Agreement was " entered into with a view of raising the price, and protecting the Coal-owners " against the loss which competition produced; and the price is kept up to the " consumer in London exactly to that point which will just shut out the com- " petition from Scotland and other places." Q. 108. Q. 110. Q. 118. Q. 122. 145. 180–1.

" In the Regulation in 1828 (says Mr. Brandling) we found we had fixed " our prices too high; the consequence was, it created an immediate influx of " Coals from Scotland, Wales and Yorkshire, and, more especially, from " Stockton; so that, when the Coal-owners met together to enter into an " engagement for 1829, we were obliged to fix our prices a little lower—about " 1*s.* the English chaldron,—in consequence of the competition which was " created, exists at this moment, is constantly increasing, and will increase, Report of 1830, p. 255; *see* also Q. 124.

"without the assistance of the Legislature, and without any enactment "whatever."

Q. 128. These statements are candid, and Mr. Brandling, whilst he denies that there is any Monopoly, admits that it is a Combination of the Proprietors to keep up the price of their article, in the same way as a combination of workmen keeps up the price of their labour; and that the proprietors are justified as much in the one case, as the labourers are in the other. A question however may arise, whether the Coal Proprietors, by thus combining to prevent Coals being brought cheaper to market, do not subject themselves to penalties.

See Appx. No. 41, Com. Rep. of June 1800. It appears by Affidavits in the Committee's Report of 1800, that in 1793 an information was filed in the Court of King's Bench against certain Coal-owners, for conspiracy and misdemeanour, in joining in the Regulation of the Vend: the cause was to have been tried in York, but never was proceeded in.

Effects of Limitation of vend. With respect to the effects of the Limitation of the Vend, the Evidence has on some points been contradictory before Your Committee, as well as before the former Committees, as the following instances will show; and the opinions on that subject are to be received as from interested parties.

Com. Rep. of Dec. 1800, p. 19. Before the Committee of 1800, Mr. Clayton, Town-clerk of Newcastle, said, that for four or five years before 1786, there was a Free Trade and Low Prices all that time, attended with loss to the Coal-owners; he adds, that if the Regulation of the Vend had not been adopted, the public would ultimately have suffered; but he does not explain how that would have been produced.

From September 1829, the Coal Trade was free, and prices were very low in the London Market, and continued so, until the Regulation of the Vend again took place in 1830.

Com. Rep. 1830, p. 265. Mr. Brandling, in 1830, said, that if the Regulations were done away with, some of the Pits which produce the best Coals would be shut up; that the prices would fall, but would not long continue low, as the prices would be raised again

Ditto, p. 302. on the consumer by those Collieries which continued to work; and that many of the inferior Collieries could not be worked in a free trade.

Mr. Buddle, and all the Witnesses who support the justice and policy of the Regulation of the Vend, admit that, by a fighting trade, the prices would at first fall considerably; but they allege that some of the Collieries, unable to compete at these low prices, would be closed, and that then there would be a re-action; prices would again rise, and the consumers would ultimately be obliged to pay a higher price for their Coals than they now pay at a steady

Q. 110. price under the Regulation. But no examples, however, of that re-action have been stated to the Committee, although, besides the above, there are similar instances of a free trade having existed at different periods, and that, during those periods, prices at the port of shipment have invariably continued low until the Regulations of the Vend, by limiting the quantity, had again raised the prices.

Q. 1628. Mr. Thomas Storey, Secretary to the Stockton Railway, gives, as his decided opinion, that the Regulation of the Vend is beneficial to Coal-owners, Ship-owners and Consumers, by keeping Coals at a steady and moderate price all the year,

year, and avoiding the great variations which always take place in a free trade, during which the Coal-owners on the Tees worked at a loss. Q. 1517.

Mr. Dunn thinks, if the open trade was continued for some years, that all the Collieries would lose by the low prices; that some of the Collieries would be destroyed, and that prices must again become remunerative in some shape or other. Q. 1334.

Mr. Bentley is decidedly of opinion that the Regulation of the Vend is for the benefit of this Metropolis and all places supplied by Seaborne Coals; but, he adds, that Coals came to market rounder and in better condition during the fighting trade. Q. 942. Q. 951.

Mr. Dyer alleges that delay has taken place in procuring Cargoes in times of Regulation; and that, in open trade, the Coal-owners exert themselves to supply the ships with the greatest celerity. Q. 2559. Q. 302.

Screening of Coals.

The manner in which Coals are screened, to make them more marketable for the London and other Markets, and the great waste thereby occasioned, are fully explained in the Evidence in 1830, and call for the serious attention of Parliament, as all the small Coal that could not be sold at the mouth of the Pit at 3 *s.* 6 *d.* or 4 *s.* a Chaldron, was set on fire to clear the ground, and consequently lost. Mr. Buddle says, that since the time of the Old Walls-end, all Coals are manufactured through the district at an enormous waste of screening, and consequently higher prices are required for those sold. The coals, that go along shore and are exported, are less screened, and consequently are sometimes 4 *s.* or 6 *s.* per Chaldron cheaper, although of the same quality as those sent to London. These low prices are not surprising, as there are some small Coals sold, on the borders of the Tyne, as low as 3 *s.* per Chaldron, or 1 *s.* 1 *d.* per Ton. It is also stated, that, as the supply of Foreigners is not within the restriction of the Vend, it follows that the effect of competition is to lower the price to the Foreigner, whilst the Regulation keeps up the price in the London Market. Com. Rep. p. 259. Q. 742. Q. 2099. Q. 774. 2100. Q. 789.

On the Tees there is now a great quantity of small Coal burned at the Pit's mouth—it cannot be sold, as it will not pay for Carriage, although the Railway allows a deduction of 50 per cent. in the Charge for Carriage of small Coals from the Pit to the Staith. Q. 1581.

Mr. Buddle says, that during the open trade in 1833 the waste of small Coal by screening was very great,—each Coal-owner striving to obtain a ready Sale by sending his Coals large to market.

Mr. Wood says, that the loss by screening is always from one-third to one-fourth of the total quantity raised; but not more during an open than a regulation Trade. If, however, the Committee are to judge by the Return from the Clerk of the Market in London, an immense saving, in the article of small Coal, must have been made by the Coal-owners since the commencement of the New Act in January 1832. It appears that in the four years, 1828 to 1831, there were imported into the Port of London, from the Port of Newcastle, 113,899 tons of small Coals, and in the four years following, 1832 to 1835, there were only Q. 2092. 2094. Appendix, No. 25.

only 6,239 tons, showing a decrease of 107,660 tons of small Coal. From Sunderland, in the same time, 1828 to 1831, 71,159 tons; and in four years, 1832 to 1835, only 5,848 tons, showing a decrease of 65,311 tons; and from Stockton, in the same period, 1828 to 1831, 22,873 tons; and in 1832 to 1835, only 4,735 tons, showing a decrease of 18,138 tons: being a decrease from the three Rivers of 191,109 tons; this fact is important to be kept in view in forming an opinion, from the contradictory Evidence, as to whether the Coals are now more or less screened than formerly.

Appendix, No. 25.

See also Appendices, No. 19 to 24.

Increase or decrease of best Coals imported to London.

The Evidence also is contradictory as to whether, by the Regulation of the Vend, of late years, the quantity of first, or of second rate, Coals has most increased in the London Market.

Q. 1748.

Mr. Buddle states, that within five years, 1831 to 1835 inclusive, the importation of the best Coals has increased at the rate of 81,977 tons, while the inferior have decreased 18,597 tons a year. He considers any Coal that does not sell for 28*s.* 6*d.* per Newcastle chaldron on board on the Wear, and for 26*s.* on board on the Tyne, as second rate; the inferior Coal for gas is 16*s.* the Newcastle chaldron, equal to 6*s.* per ton.

Q. 741.

Q. 2168.

By other Witnesses it is stated, that there has been a greater increase in the consumption of inferior than of best Coals within the last two years in London. Mr. Wood states that the proportion of inferior Coals imported into London has been increasing of late years. That the total import in 1833 was 2,003,010 tons, and in 1835, 2,294,554, making the net increase in the latter year 291,544 tons, of which increase 66,427 tons were of the best, and 225,117 of inferior sorts. The total increase of inferior Coal in 1834, compared with the total increase of all kinds in that year, is 138 per cent. The increase of best in 1835, as compared with the total increase since 1833, is 23 per cent.; and the increase of inferior, in the same time, as compared with the whole increase, is 77 per cent. He has classed, as best coals, all those which are sold in the North at, and above 22*s.* 6*d.* per Newcastle chaldron on board; and, in proof, has given the name of each Colliery, and the quantity issued from each. He says, that the invariable effect of the Regulation has been a rise of price, and a tendency to increase the quantity of inferior Coal; to place the best Coals too high, that the inferior may be sold; and that is effected by the Factors in London regulating the selling price for the best Coals, so as to keep up the price originally fixed by the Coal-owners for regulating the issues in the North: that the immediate effect of an open trade has been a reduction of price, and he thinks that if an open trade were continued, three or four Collieries of the best classes could sufficiently supply the market and completely exclude the inferior. The distinction of best and of inferior Coals by price is very arbitrary: there are Wallsend Coals, called the best, from Newcastle at 19*s.*, and some as low as 18*s.* per Newcastle chaldron; whilst the Hebburn, is shipped on the Tyne, at this time, at 23*s.* and 24*s.* a chaldron, yet that Coal is in the second class.

Q. 1962 to 2390.

Q. 2392.

See Statement, Q. 1964.

Q. 1958. 2202.

Q. 1981. 2394.

Q. 2008.

Q. 1961.

A remunerating Price.

Q. 2011.

Mr. Wood thinks that 24*s.* 6*d.* for the best, and 20*s.* 6*d.* for the inferior, would remunerate him; viz., for Thornley and Hetton Collieries 9*s.* $2\frac{9}{10}$*d.* per ton for the best, and 7*s.* $8\frac{8}{10}$*d.* for inferior. That the effect of the Regulation is, that an inferior Coal is sold at the price a better one would be supplied at, in an open trade. The present regulation price of 28*s.* 6*d.*, would be reduced

reduced to 24*s.* 6*d.* per Newcastle chaldron, or about 1*s.* 6*d.* per ton by the Coal-owners, and many of the inferior sorts, in that case, could not be worked at a profit; there would consequently be a larger proportion of good Coals, and not so much risk of admixture as at the present time: in his opinion there are no peculiarities in the Coal Market to prevent it adjusting itself to an open trade; no peculiarity in the application of capital in the Coal Trade to prevent a regular and ample supply: that an open trade would urge to economy in working; and, as a case in point, he states that the Manager of a Colliery who in 1827 thought the price of 24*s.* per Newcastle chaldron the lowest at which he could supply them, now sells the same Coals at 17*s.* 6*d.*: that, in fact, a low steady price would be ultimately better for the Coal-owner than the great changes which have taken place. Under an open trade, he doubts whether there would be any profit for some time; but it would settle down to a remunerative price, as all other trades do, and the supply would then be made by those who could sell the best Coals cheapest; that the best Coals would be sold in an open trade at 24*s.* 6*d.* a Newcastle chaldron, "and the best effects would "follow from the most unrestricted and free exercise of every man's discretion "in conducting his own trade, both at the place of purchase and of sale:" the present prices leave an extravagant profit to the Coal-owner, more than a fair remuneration: he considers the Regulation to have been one of the causes of the strike among the workmen, by unsettling the Trade. Mr. Buddle states there has been less trouble with the workmen since the Regulation than before.

Q. 2080.
Q. 2027.
Q. 2029 to 2045.
Q. 2407. 2054.
Q. 2083. 2084.
Q. 2398, 2399.
Q. 2412, 2413.
Q. 819.

In April 1836 the range of difference in price between the highest and the lowest Coal in the London Market, was 6*s.* 3*d.* per ton, or 16*s.* 8*d.* per chaldron. In May the difference was 6*s.* 4*d.* per ton, or 16*s.* 11*d.* per Newcastle chaldron. The cost of production of the best Coals, if the Collieries worked according to their powers, would be little more than 16*s.* 11*d.*, so that the inferior Coal could not be sold at any profit, if there were a free trade to admit into the Market as many of the best quality as the consumption required.

Q. 2023.
Q. 2024.
Q. 2012.

The result, therefore, is, that at present the great majority of the Coal-owners on the Rivers Tyne, Wear and Tees, are combined, avowedly to limit the supply of Coals to the London Market, so as to raise the Price to the Consumer higher than a Free Trade would command: and, also, to force on the Market a larger proportion of inferior Coals, at Prices which could not be maintained otherwise than by such a Combination.

Your Committee, therefore, recommend that the Interests of the Consumer should be protected against such proceedings of the Coal-owners, by the removal of all existing impediments to the free supply of that article.

Your Committee here think it proper to insert the opinions of two Select Committees of the Commons, at distant periods, on the subject of the Regulation of the Vend, and the Measures they recommended to put an end to the Combination.

The Committee of the House of Commons, which sat in 1800, were induced "to express their apprehensions, that a power arising from mutual "compact, which enables the Coal-owners to provide, in general, for the "interest of the Collieries, may at any time enable them to enhance the price "of an article of such necessity, to the oppression and danger of the public; "and, under this impression, and supported by the sentiments of one of the

Com. Rep. 31 Dec. 1800, p. 7.

" most intelligent Witnesses, that an entire freedom of trade, as well in the " North as in the Metropolis, would be the most beneficial to the public. " Your Committee humbly submit to The House, the propriety of adopting " effectual means, by additional penalties, or otherwise, of enforcing the " existing laws against all compacts and agreements of the nature above " described."

Com. Rep. 1830, p. 18.

The Select Committee in 1830, observe, " that in deciding on the course " which it is now prudent to pursue, with respect to this compact, Your Com- " mittee are inclined to think that the Trade had better be left to the control " of that competition which appears already to have affected it; and, as long p. 17. " as the Districts we have named, are not included in the Regulation (which " we trust will not happen), the effect upon the market, of the supply they " are capable of affording, cannot fail to be felt."

p. 251.

In 1830, Mr. Brandling stated, " that there was then no communication, " as to the Agreement of the Vend, between the Coal-owners of the Rivers " Tyne and Wear, with the Coal-owners on the River Tees; and that they " were considered as rivals in trade, the same as Wales, or any of the " exporting ports in Yorkshire."

Your Committee beg to call the attention of The House to the fact, that, the event which that Committee deprecated, has since then actually taken place; and the Union of the Tees is now in full operation for limiting the supply of Coals. When that Inquiry took place, in 1830, the Monopoly on the Tyne and Wear was, in the opinion of that Committee, somewhat kept in check by the supplies from the Tees, Blyth, Seaton Sluice, and from Scotland and Yorkshire. The two latter sources of supply send but little to the London Q. 122. Market, as, by Mr. Brandling's Evidence, the prices in London, of Coals in the Regulation, are so regulated for the express purpose of keeping them out; and, since the publication of that Report, the beneficial effects of the anticipated competition from Blyth and Stockton have been defeated by the Union, of the greater number of the Coal-owners of those Districts, with the Coal-owners of the Tyne and Wear; and by their Agreement to the present Regulation of Vend.

Inquiry respecting the Supply of Coal, &c.

Your Committee have directed their inquiries to ascertain the present state of the supply of Coal, the prices at which supplied, and the capabilities of further supply: but the period of the Session has limited their inquiries to the Collieries on the Rivers Tyne, Wear and Tees, the three chief sources of the supply to this Metropolis. The opening of fields of Coal in other parts of England and Wales, and in Scotland, may be the subject of inquiry by a Committee in a future Session, if the House shall consider the subject of sufficient importance, and Your Committee have therefore only noticed the subject in another part of their Report.

Number of Collieries on the Tyne. Q. 821.

On the Tyne there are 47 Collieries, of which 41 are included in the regulation of the Vend, and six not. In 1830 there were only 39 in the Regulation. The basis of the Regulation in the month of April 1836, was 959,500 Newcastle chaldrons. The proportion allotted to each Colliery to vend, and also the actual Vend in each month in each year from 1827 to 1835, during which time there was a short issue in every year, will be seen by Mr. Buddle's Evidence.

By

By the Act, called the Turn Act, every ship ought to be loaded in her turn in the River Tyne; and if any Colliery refuse to sell, there is a penalty of 100*l.*; but, nevertheless, the penalty is avoided, as Mr. Brandling states that, although they are by the Act compelled to sell, yet they may, and do, fix their own price, and thus exclude a purchaser without incurring the penalty. When the quantity allotted by the Vend is shipped, the vessels must wait for the next fortnight's supply, or go away; and the delay in that river in procuring a cargo is thus increased by the limitation of the Vend.

Turn Act, Tyne, p. 266 of Commons Report of 1830. p. 462, ditto.

On the Wear there were nine Collieries in the Regulation in 1830, and there are the same number now. The Collieries of Haswell, Urpeth and Monkwearmouth, are not in the Regulation.

Number of Collieries on the Wear. Q. 1015.

The most distant Collieries on the Wear are nine or ten miles from the Staith. Q. 1706.

The present basis of the Wear Vend, 564,000 Newcastle chaldrons, or 1,494,600 tons. Q. 1014.

	Newcastle Chaldrons.	
The Vends on the Wear in 1825	502,043	Q. 1015.
1828	500,601	an open trade.
1829	564,928	
1830	523,557	
1831	473,923	
1832	454,265	
1833	509,078 ½	an open trade.
1834	419,539 *	
1835	410,827	

On the Tees there are 16 Collieries; of which nine are in the Regulation, and seven not included.

Collieries on the Tees.

The basis on which these Collieries joined those on the Tyne and Wear in the Regulation, on 1 March 1834, was 150,000 chaldrons; on 1 March 1835, 160,000, including Whitton Park; and on 1 Jan. 1836, 176,000 chaldrons. Q. 1518.

The exports from the Tees have rapidly and largely increased: Q. 1519.

In the year (June to June)	1827 to 1828	54,290 tons.	
—	1828 to 1829	46,216 ditto;	open trade.
—	1830 to 1831	151,262 ditto.	
In the year (June to June)	1831 to 1832	281,960 tons.	
—	1832 to 1833	336,060 ditto;	6 months open trade.
—	1833 to 1834	285,765 ditto;	8 ditto to 1 March 1834.
—	1834 to 1835	357,726 ditto.	

All these Coals came down the Stockton and Darlington Railway to the Staith.

Between

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* The decrease of export on the Wear arises from a portion of the Coals being now shipped at Seaham, instead of the Wear.

Q. 656. Between 1829 and 1834 a considerable change took place in the basis of the Agreement; some Collieries having been considered as exhausted, and new ones coming in.

Basis of the regulation of the three Rivers and Ports. Q. 664.

	Newcastle Chaldrons.
In 1835 the basis of the Tyne was -	939,000
Ditto - - - - - Wear - -	585,000
Seaham is included in the Wear; but Hartley, Cowpen and Netherton are left out	68,750
The basis of the Tees - - - -	160,000
Total allotted - -	1,752,750 N. C. Chaldrons by the Regulation.
And the actual Issues in 1835 were - -	1,346,112, being only 76 ¾ per cent. of the allotted Vend of 100.

Vends of the three Rivers. Q. 1716.

The following Statement of the Vends in the three Rivers from Mr. Buddle:

Tyne Vend.

	Newcastle Chaldrons.	Tons.
1830 -	729,075 ½	1,932,050
1831 -	703,989	1,865,520
1832 -	616,094	1,682,649
1833 -	no return; an open trade.	
1834 -	588,970, from 1 March to 31 Dec.; an open trade	1,560,770
1835 -	716,612	1,849,021

Wear Vend.

1830 -	455,068	1,205,930
1831 -	421,903	1,118,042
1832 -	451,452 ½	1,196,347
1833 -	an open trade; no return	
1834 -	365,824, from 1 March to 31 Dec.; an open trade	919,433
1835 -	446,456	1,183,108

Tees Vend.

1834 -	98,583	261,244
1835 -	112,941	299,293

Hartley, Cowpen and Netherton.

1834 -	38,197 ½	101,223
1835 -	42,977 ½	133,184

Aggregate for the Regulated Collieries.

1835 -	1,318,984	3,495,207
1834 -	1,091,574	2,892,671
Increase -	227,410	602,536 in 1835, as compared with 1834.
		or 20 ¾ per cent.

To arrive at a correct opinion of the state of the Collieries now in the Regulation of the Vend, and of their capabilities of supply, their powers of annual working should be compared with their actual issues.

Q. 333. The Powers of Supply have increased in a greater proportion than the Demand; as the Pits sunk, and the Machinery upon them, are capable of

Q. 267. affording, easily, double the quantity at present worked.

The

The following STATEMENT of the Powers* of the Tyne and Wear from actual examination, shows a great increase in 1836 as compared with 1829: — Powers of the Tyne and Wear.

	In September 1829 the Powers were:	And in June 1836 the Powers were:	INCREASE OF
	Tons.	*Tons.*	*Tons.*
On the Tyne River	3,115,936	4,809,824	1,693,888 or 54.3 per cent.
On the Wear River	2,776,586	3,314,098	542,512 or 19.5 do.
Total - -	5,887,522	8,123,922	2,236,400 or 36.9 per cent.

Q. 1716.

The Power of the Hetton Colliery on an average is calculated by Mr. Wood at 150,000 Newcastle chaldrons, and in 1833 its vend was 168,000; under the Regulation it is about 110,000 chaldrons. The powers of Lord Durham's Colliery is 150,000, but under the Regulation only 110,000. The North and South Hetton have taken out at times 50,000 each, but now in the Regulation they issue only 35,000; and other Collieries in that proportion. — Powers of the Hetton and other Collieries. Q. 1070. 2013.

Your Committee would call the attention of The House to the Statements of Quantities allotted by the Regulation of the Vend to each Colliery; and their Powers of Working, as estimated by Mr. Buddle. The aggregate Vend in 1835 for all the Collieries within the Regulation was only 3,495,207 tons, whilst the Powers on the Tyne and Wear alone were 8,123,922 tons; showing that all the Collieries are capable of producing three times the quantity which the Regulation permits to be issued.

There are also new Collieries now opening, capable of producing an additional supply of one million of tons yearly; viz. — New Collieries, Q. 1178. 1748.

7 on the Wear = 551,200 tons
2 on the Tyne = 87,450 do.
6 on the Tees = 310,050 do.
} 948,700 tons. { of best Coals 16.8 per ct. / of inferior 8.89 do. } Total 25 p' cent. increase on the present issue of the Vend of 3,693,890 tons,

which should lessen the fear of a short supply, which has been so often alledged by the Coal Proprietors, if an open trade should continue, and *lay in* any of the present Collieries.

It appears that the supply from Scotland has increased from 89,321 tons, the average of the four years 1828–31, to 145,159 tons, on the average of the four years 1832–35, showing an increase of 55,838 tons; whilst the supply of London, by inland navigation, may be considered as at an end, as it has decreased from 8,381 tons in 1831, and 10,742 tons in 1832, to 4,395 ½ tons in 1833, and to only 1,862 in 1834. Whilst the quantity of Coals from Wales and from Yorkshire have increased from 227,337 tons in the four years 1828–31, to 261,732 in the four years 1832–35, showing an increase in the whole time of 34,404 tons, although there has been a decreased importation of Welsh Culm of 19,338 tons in that quantity. — Supply from Scotland, and from inland navigation. Q. 1910. Appx. No. 25. Appx. No. 18. From Wales and Yorkshire.

To enable The House to form a correct opinion as to where the heaviest charges fall, and how they may be most easily reduced or removed, the prices of Coals, and the Charges thereon, require to be shown at the Pit-mouth, the Place of Shipment on the several Rivers, and in the Pool. — Prices of Coals, and charges from the Pit-mouth.

In

* These powers are calculated by single shift, that is by Day's Work alone; for the Men eight hours, and for the Boys twelve; all piece-work. More work could be done in an hour now than in 1829, but the Union amongst the Workmen prevents that being done.

In 1827 and 1828 the price of best Coals on board was 36*s.* 6*d.* per Newcastle chaldron; in 1833 the price sometimes did not leave to the Coal-owner more than 18*s.* The Hetton Wallsend sold so low as 14*s.* 9*d.* a ton. In 1835–36 the price on board has been 28*s.* 6*d.* for the best Coal.

Trade in Coals, how conducted.

The Coal-owners are generally desirous to sell their Coals at the staith, and to have no risk afterwards, and when the Trade is brisk and good they do so; but, in an open trade, they have freighted vessels, and sent them to London to be sold by the Factors on their account, taking the profit, or suffering the loss, according to the state of the Market. The Ship-owners are generally the Buyers at the staith, and take the risk of the Markets, which gives them an equal interest with the Coal-owners in maintaining high prices in London; and few complaints have, therefore, been made by them against the Regulation. The Coal-merchants in some cases have their own Vessels to bring Coals, sometimes they freight, and thus take the profit of the Ship-owner; but, generally, they take the chance of the Coal Market in London for their purchases.

Prices on the Tyne. Return, Q. 821.

By the Return of Prices on the River *Tyne* in January 1836, it appears that the highest of Willingtons Wallsend, 25*s.* per Newcastle chaldron, or 9*s.* 6.79*d.* per ton on board, and the lowest 14*s.* per Chaldron, or 5*s.* 3.39*d.* per ton.

Bewicke's Wallsend, on the Tyne:

	s.	*d.*			*s.*	*d.*	
In Sept. 1829, shipping price,	31	–	per Newcastle chaldron, or		11	9	per ton.
Oct. 1833, - — -	24	–	- — - - -		9	2½	—
Mar. 1834, - — -	25	–	- — - - -		9	4	—
Sept. 1834, - — -	26	7	- — - - -		9	9¾	—

and that price continues up to the present time.

Q. 696.

The Wear best Coals selling at 21*s.* 6*d.*, and the best Tyne, 20*s.* 3*d.* in London Market, owing to the former coming larger to market.

Q. 730.

Mr. Buddle says, that the net cost of production of Coals of the first quality to the Pit's mouth is:—

The highest price, 23*s.* per Newcastle chaldron, or 8*s.* 3*d.* per ton.
The lowest, 16*s.* 6*d.* to 17*s.* ditto, or 6*s.* to 6*s.* 6*d.* ditto.

Expense of Shipping on the Tyne.

The charges for Coals shipped on the Tyne are, either by the spout, or by keels.

Q. 1707.

	s.	*d.*	
Lights and river dues - -	–	4	per ton.
Charges in London -	2	2	—
Insurance - - -	–	2	—
	2	8	per ton.

	s.	*d.*	
Lights and river dues - -	–	4	per ton.
Keel dues - - -	–	10	—
Charges in London -	2	2	—
Insurance - -	–	2	—
	3	6	per ton.

To meet the increased charge by the keels, there is generally a saving of 6*d.* to 9*d.* per ton in the freight of ships loaded by keels.

The

Expense of a Ton of Coals in 1836.

The following Account of a Ton of Adair's Main Coals shipped by Keels on the Tyne this Month of June, will exhibit the several items of charge to the Coal Market in London; viz.

	s.	d.
Prime cost on board per ton	7	2
Freight	7	6
Charges in London	2	2
Lights, 4 *d.*; keel dues, 10 *d.*	1	2
Insurance	–	2
Price which ought to be obtained in the Pool to pay the Ship and the Coal-owner	18	2
Sold in the Pool on 13th June, for	18	3
Gain per ton of	–	1

Q. 1707.

Of a Cargo in 1830–35.

STATEMENT of the Comparative Charges of a Cargo of *Newcastle* Coals in the Year 1830 and in 1835.

Port Charges at Newcastle upon 110 Newcastle Chaldrons of Coals shipped to London, in a Vessel of 200 Tons Register, in June 1836.	£. s. d.	Similar Charges in 1830 in a Ship of *200 Tons Register, with 110 Newcastle Chaldrons of Coal. £. s. d.
Richmond duty of 1 *s.* per chaldron †	– – –	5 10 –
Scarbro' pier, ¼ *d.* per chaldron ‡	– 2 4	– 5 4
Bridlington pier, ¼ *d.* per chaldron	– 2 4	– 2 4
Private lights, (5 in No.) 3 *d.* per chaldron	1 7 6	1 7 6
Trinity lights, (13 in No.) 2 *d.* per ton, and 6 *d.* added for Tees buoy	1 13 10	1 8 3
Town dues 2 *d.* per chaldron	– 18 4	– 18 4
Low Harbour Lights, under 50 tons 1 *s.* 5 *d.*; above 50 and under 100, 1 *s.* 10 *d.*; under 200, 2 *s.* 2 *d.*; under 300, 2 *s.* 7 *d.*; above 300, 2 *s.* 11 *d.*	– 2 2	– 2 2
Tynemouth Light, ½ *d.* per chald.; 1 *s.* added for old duty	– 3 4	– 3 4
Whitby pier, ½ *d.* per chaldron	– 4 8	– 4 8
£.	4 14 6	10 1 11

Being a charge of 5 *l.* 7 *s.* 5 *d.* less in 1836 than in 1830, or 1¾ *d.* per ton.

Town Clerk's Office, Newcastle, Tyne,
7 July 1836.

John Clayton.

Charges on Coals from the Wear in 1830 and 1836.

The *Charges* on Coals from the Wear sold in London in 1830, including *ingrain*, was 7 *s.* 3 *d.* per ton, and the charges now are 2 *s.* 1½ *d.* per ton, showing a reduction of charge of 5 *s.* 1¾ *d.* per ton. The charges in the Pool are reduced about 8¾ *d.*, making the total reduction of charges in the Port of London, and also on the ship charges, of 5 *s.* 10½ *d.* per ton.

Q. 918; *see* Return. Q. 922.

Deduction in Price. *See* Return, Q. 923.

It is difficult to determine the exact reduction in the price of Coals, as each kind differs. If 26 *s.* 8½ *d.*, the market price of Newmarch Wallsend Coal per ton

* See page 16 of Report of 1830.

† Reduced to ¼ *d.* in June 1830.

‡ Repealed with the King's duty of 6 *s.* in 1831. The *Richmond Shilling* was originally a grant from a Company at Newcastle, called the Host Men, to Queen Elizabeth, and was subsequently granted by Charles II. to the Richmond Family, and purchased by the Government in 1799; it was levied only on Coals from the Tyne.

See Appendices, No. 15 & 15.

ton on the average of the year 1830, be compared with 16 *s.* 2 *d.*, the mean price of 1833, a year without regulation, there appears to have been then a reduction of 10 *s.* 6 *d.* per ton; but the price of 18 *s.* 4 *d.*, the average of the four years 1832–1835, compared with the average price of 1830, shows a reduction of only 8 *s.* 4 *d.* per ton to the Coal Merchant in some sorts, and of only 4 *s.* 9 ½ *d.* in others; whilst the reduction of duty of 6 *s.* per London chaldron is of 4 *s.* 8 ⅝ *d.* per ton, of other charges in the Pool, 5 ⅜ *d.*, of charges on the Ship, 8 ⅝ *d.*, and in prime cost of 1 *s.* 3 *d.*, makes the reduction of charge in all about 7 *s.* 2 *d.* per ton in the Coal Market in London.

And Reduction of Duty and Charges since 1830.
Appendices, No. 39, 40 & 41.

Prices of Wear Coals at the Coal Exchange.
Q. 910; *see* Return.

By Mr. Bentley's Evidence it appears that Stewart's Wallsend Coals were, on the average of the years 1823, 1824 and 1825, at the Coal Market in London - - - - - - - - - 33 *s.* 10 ¾ *d.* per ton.
Ditto of ditto, 1827 and 1828 - - - - 30 *s.* – ¾ *d.* —
Ditto of ditto, 1829 and 1830 - - - - 27 *s.* 10 ½ *d.* —
The duty of 6 *s.* per chaldron taken off from 1 March 1831: no return.
The average of the four years 1832, 1833, 1834 and 1835, 20 *s.* 7 ¾ *d.* —

showing a reduction of 7 *s.* 2 ¾ *d.* between the two years 1829 and 1830, and the four years 1832 to 1835, amounting to the reduction of duty and of charges.

Price on the Wear of Lambton's best Wallsend in 1830 and 1836.
Q. 1108.

The price on the Wear for the best Lambton's Wallsend Coals free on board, in 1830, was 12 *s.* 3 *d.* per ton; for the second best 10 *s.* 9 *d.*, and for the third 9 *s.* 3 *d.* At present the best Lambton's Wallsend Coals are 10 *s.* 9 *d.*, the second 9 *s.* 3 *d.*, and the third 7 *s.* 9 *d.*, being a reduction of 1 *s.* 6 *d.* per ton on aach sort.

Your Committee have to observe, that there is, by the evidence before them, a considerable difference in the prices at which the Coals are stated to have been shipped at different Ports, and at different times, which makes it difficult to ascertain the real prices, and therefore an account of the prices of the several sorts of Coals at the Ports of Shipment, as certified by the Fitters to the Clerk of the Coal Market in London, was called for, with the view of reconciling those differences, although much reliance cannot be placed on that account.

Appendix, No. 34.

Your Committee have selected from that return 28 several sorts of Coals chiefly used in London, and the following is the Average Price in the four years 1828 to 1831, and in 1832 to 1835; viz.

	In 1828–31.	In 1832–35.	Decrease.
	s. *d.*	*s.* *d.*	*s.* *d.*
From the Port of Newcastle, of each 7 Vends	9 7 p' ton.	8 10 ½ p' ton.	– 8 ½ p' ton.
Ditto - - of Newcastle Wallsend, ditto	11 1 ½ –	9 10 ¼ –	1 3 ¼ –
	11 10 ½ –		
Ditto - - of Sunderland, 7 Vends	10 5 ½ –	1 5 ½ –	
Ditto - - of Stockton - 4 Vends	10 6 –	9 4 ½ –	1 1 ½ –
Ditto - - of Blythe and Hartley, 3 Vends	9 3 ½ –	7 4 –	1 11 ½
Average - - -	10 5 ¾ –	9 4 ½ –	1 1 ¼ –

By

By which it appears that in the price of all those 28 different sorts of Coals, there has been a reduction of only 1 *s.* 1¼ *d.* per ton at the places of shipment.

An Account has been prepared showing the average price of all the Coals sold on four market days in the London Market in 1836, to have been 19*s.* 1½*d.* p' ton

Average Price of all Sorts of Coals in London Market on four market-days in 1836. *See* Return, Q. 941. Appendices, Nos. 39, 40, 41.

Half metage paid by the Buyers		– 1½	—
		19 3	
Average Freight and Insurance	8*s.* 7¼*d.*		
London charges	2 1¾		
		10 9	
Leaving the Coal-owner to pay cost and charges		8 6	

The delivery of the Coals in London costs 9*d.* per ton, which is paid by the Ship-owner.

	£.	*s.*	*d.*	
Stewart's Wallsend, shipped on board, at prime cost	–	10	9	per ton
Freight	–	8	4	—
Charges in London by Factor	–	2	2	—
Insurance	–	–	2	—
Price which ought to be obtained in the Pool to pay the Ship and the Coal-owner.	1	1	5	—
13 June 1836, price in the Pool	1	1	3	—
Loss to the freighter	–	–	2	—

Wear; Buddle. Expenses to London.

By comparing the accounts of Sales, and average price of all sorts of Coals sold in the London Coal Market in four days in 1830, and in four days in 1836, it appears that

Price of Coals on four market days in 1830, and in 1836, at the Coal Market in London.

In 1830, the Coal Merchants paid £. 1	10	– ¾	p' chal[n] or £. 1	3 6⅞ p' ton.
In 1836 - ditto - ditto			– 19	3 ditto.
Showing a reduction in the price of			– 4	3⅞ ditto.

See Appendix, No. 38, and Q. 941.

Appendix, No. 40.

Also that there remained to pay, prime cost and charges at the Port of Shipment,

In 1830, to the Coal-owners, 11 *s.* 10¼ *d.* per chaldron, equal to	£. –	9	3½ p' ton.
In 1836	–	8	6 ditto.
Showing a reduction in the price of	–	–	9½ ditto.

Price to the Coal-owners at Port of Shipment.

But if the same number * of sorts of Coals had been included in the average in 1836, as in 1830, there would have been less difference in the price in those two years.

By the following Account it appears that a cargo of 298 tons of Coals, sold at 21 *s.* per ton in the Coal-market in London, after paying 28*s.* 6*d.* per Newcastle chaldron, or 10*s.* 9*d.* per ton, to the Coal-owners, left only 7*s.* 0½*d.* per ton to the Ship-owner, as follows:

Charges on a Cargo of Coals from the Wear, and sold in London.

ACCOUNT

* The average number of kinds on which the comparison has been made, was 38 kinds of Coal in 1830, and 33 kinds in 1836.

The Factor's Account of Sale. Q. 888.

ACCOUNT SALES of a CARGO of COALS, 293 Tons, sold at the Coal Market in *London* at 21 *s.* per Ton, with 1 ½ *d.* per Ton Metage. London, 30 May 1836.

Dr.	£.	s.	d.	£.	s.	d.
To Night-office and entry	–	4	6			
City dues by Act of Parliament, on 293 tons, per certificate, at 1 *s.* 1 *d.* per ton	16	2	10			
Metage on 293 tons, at 3 *d.* per ton (half borne by the shipowner)	1	16	7			
				18	3	11
Tret 1 *l.* per cent. allowed buyers £. 3 2 –						
Discount 2 *l.* per cent. on two-thirds ditto 4 3 –						
Scorage 1 *s.* per score ditto – 15 –						
Bill stamps ditto – 8 –						
	8	8	–			
Receipt stamps, postages and expenses	–	18	6			
				9	6	6
Factorage 3 *d.* per ton	3	13	3			
Del credire commission 10 *s.* per cent.	1	10	11			
				5	4	2
Insurance on 160 *l.* at 15 *s.* per cent.	1	4	–			
Policy duty	–	2	6			
				1	6	6
			£.	34	1	1
Paid coal-owner for 112 chaldrons of 53 cwt. at 1 *l.* 8 *s.* 6 *d.* per chaldron				159	12	–
Balance for freight to the ship on 293 tons				115	15	11
			£.	309	9	–

Being 7 *s.* 11 *d.* per ton.
Out of which the ship-owner has to pay delivery of cargo, per ton 9 *d.*
Half metage 1 ½ *d.*
10 ½ *d.*

Leaving 7 *s.* 0 ½ *d.* per ton to pay port duty, lights, ballast, navigation, victualling, and insuring ship, and wear and tear, &c.

Charges on a Cargo of Coals from the River Tees. *See* Return, Q. 889.

By another account of a cargo of 220 tons from the Tees sold in the Coal Market in London, on 30th May 1836, at 19 *s.* per ton, and paying the Shipowner 9 *s.* per ton freight, there remained only 7 *s.* 9 *d.* per ton for the Coal-owner.

There is no difference in the charges from the Wear and the Tees; the difference is in the freight.

Q. 894.

The Ship from the Wear was on her own Account, the other, from the Tees, was on Freight. The 10 *s.* 9 *d.* and the 7 *s.* 9 *d.* include the cost of production, the profit of the Coal-owner, and all expenses.

Charges on a Cargo of Manufacturing Coals sold at the London Coal-market. Q. 896. 900.

A Cargo of Coals of 339 tons, used for manufacturing purposes, and sold in the Market in London, at 15 *s.* per chaldron, after paying 8 *s.* 6 *d.* per ton freight and all other expenses, the same as the better coals, left only 4 *s.* 5 *d.* per ton to the Coal-owner.

Q. 166.

Mr. Brandling states, that the price at which Coals can be raised is very different, according to the expense of the Colliery, which also depends much on the quantity they sell. It is manifest, therefore, that if it were not for the Regulation of the Vend, the quantities produced in many Collieries might be greatly increased, and the cost of production considerably decreased, as there are

are some charges of management common to all Collieries, whether they work a larger or restricted quantity. At the present Vends the price may be taken as high as 23*s.*, and some as low as 13 *s.*, the Newcastle chaldron, on board of ship. Q. 166.

That The House may see the several items forming the cost and charge of Coals, sold to the Coal-buyer at 21*s.* 1½*d.* per ton, the following Account has been prepared by Mr. Bentley: Q. 898.

PARTICULARS of the CHARGES on One Ton of COALS sold in *London* at the Coal-market, at 21*s.*, with 1½*d.* Metage, for which the Coal-buyer pays 1*l.* 1*s.* 1½*d.*

Particulars of the Charges on One Ton of Coals sold by the Factor in London to the Coal-merchant.

	s.	*d.*	£.	*s.*	*d.*
City dues	1	1			
Metage 3*d.* (half borne by the ship	–	1½			
			–	1	2½
Tret 1*l.* per cent.	–	2½			
Discount 2*l.* per cent. on two-thirds, and scorage 1*s.* per score	–	4			
			–	–	6½
Bill and receipt stamps, and incidental expenses	–	1½			
Factorage	–	3			
Del credire commission 10*s.* per cent.	–	1½			
			–	–	5¾
			–	2	2¾
Paid coal-owner for coals	10	9			
Insurance at 15*s.* per cent. and policy duty	–	1½			
			–	10	10¼
Balance to pay freight, loss of weight, delivery, &c.			–	8	–½
		£.	1	1	1½

Being 10*s.* 4½*d.* charges from the staith in the Wear to the Coal-buyer in London, leaving 10*s.* 9*d.* for the Coal-owner.

By a Return it appears that, of 10 Collieries on the Tees, the highest in price at the pit's mouth are the Tees Wallsend at 7 *s.* 1.21 *d.* per ton; and the lowest in price of unscreened Old Etherly Wallsend, 3 *s.* 0.53 *d.* Prices in the Tees. Q. 1545.

The highest cost of transit from the pit to the staith, including agency and waggons, is 3*s.* 9.35*d.* per ton for Witton Park Wallsend; the lowest 2 *s.* 10.3*d.* per ton for South Durham Wallsend. The price of Coal on board of ship ranges from 10*s.* 2.26*d.* per ton for the Tees Wallsend, downwards to 6 *s.* 9.5*d.* for several kinds of Wallsend. The average price of best Coals at the pit's mouth is 5 *s.* 0.$\frac{72}{100}$*d.* per ton; of the unscreened, 3 *s.* 0.$\frac{82}{100}$*d.* The best Tees Wallsend Coals, which cost 7 *s.* 1 *d.* at the pit, 3 *s.* 1 *d.* in carriage to the staith, and 10 *s.* 2.26*d.* on board, sold on the Coal Exchange on 3d June 1836 for 20 *s.* per ton; showing the expense, from the Port of Shipment to the Pool, to have been 9 *s.* 10 *d.* per ton. Charges from the Pit to the Staith.

Witton Park is distant 29 miles from the place of Shipment; the charge from the Pit to the Staith, 4*s.* 4*d.* per ton.

The charges on the Stockton and Darlington Railway are by the Act 2½*d.* per ton per mile for land sale, or home consumption, and 1 *d.* per ton per mile for shipping: but, by the construction put upon one of the Clauses in that Act, Coals, intended for Shipment at Port Clarence, are charged at the higher rate, as if they were intended for land sale. Q. 1551.

The deepest Pit on the Tees is about 80 fathoms; the shallowest within 10 or 15 fathoms of the surface. Q. 1594.

Price of Coals, St. Lawrence Colliery.

Q. 1222.

Mr. Dunn, Agent for the St. Lawrence Colliery, residing at Newcastle, entered the Coals of that Colliery on the Regulation at 17*s.* per chaldron, but finding no sale for them at that price, reduced them to 16*s.*, at which they now stand; and, after paying freight and the usual charges on a cargo, lately sent to London, he only got 13*s.* 6*d.* per Newcastle chaldron, or 5*s.* 1*d.* per ton, by which he obtained 2*s.* 6*d.* per chaldron less than if he had sold the Coals at the Staith at the usual price.

To the Home and Foreign Trade.

That Colliery has, under the regulation, 18,000 Newcastle chaldrons allotted to vend in the year, but it has sold 29,000 chaldrons to the Coasting Trade. For the Foreign Market they sold their Coals at 14*s.*, and for the London and Coast Trade at 16*s.* per Newcastle chaldron.

Wages of Colliers.

Q. 1110 to 1117.

Q. 1123.

The Wages now paid to Colliers on the Wear, for raising a chaldron to the surface, are the same as in 1830. They are fixed every fortnight; the men work by piece-work, about six to eight hours a day, and 10 days in the fortnight. The hewers, or best men, receive about from 35*s.* to 40*s.* per fortnight; the second rate men from 30*s.* to 34*s.*; the others from 15*s.* to 20*s.* They have, besides, a house and garden and coals for their own use.

Mine Rent.

Q. 763.

Q. 764.

On the Tyne the highest Mine Rent is 1*s.* 3*d.* per ton, and the lowest 2½*d.* per ton; and, taking the Trade of the three Rivers, Tyne, Wear and Tees, the average mine rent is between 5*d.* and 6*d.* per ton.

Distance from the Port of Shipping, and Charges.

Q. 770.

Q. 773. 774.

The greatest distance of any of the Collieries from the place of Shipment is, the Midomsley, 23 miles upon the Stanhope and Tyne Railway; the charge is not quite $1\frac{22}{100}$*d.* per ton per mile for the Railway. If the expenses for waggons, engines, planes, trackage, haulages, &c., are all included, the charge is about 3*d.* per ton per mile; and, in addition, 6*d.* per ton for spoutage: 3½*d.* per ton per mile is the lowest charge on a Public Railway.

Wayleaves.

Q. 775.

Q. 780.

Q. 2068.

Q. 2076.

The Wayleaves vary from 2½*d.* per ton per mile to one-third of a penny. The highest charge for conveying Coals from the Pit to the Place of Shipping, is 10*s.* per Newcastle chaldron, or 3*s.* 9.28*d.* per ton. The Wayleaves have been as high as 3*s.* 6*d.* per ton, and as low as 2*s.* 6*d.* in the same Colliery, according to the quantity worked. The highest charge they can make on the Hartlepool Railway is ¾*d.* per ton per mile, not including haulage.

Q. 1265.

Q. 1273.

Q. 1282.

Mr. Dunn knows some Wayleaves for which 9*d.* per ton for four miles are paid; the regular charge is 2*d.* per mile for Wayleaves. The Stanhope Collieries pay at the rate of 350*l.* a mile, the land being worth from 30*l.* to 40*l.* per acre for the fee-simple, and six acres the extent of surface required.

Freights.

The Freight of Coal forms so large a portion of the charge on that article before it reaches the consumer, that Your Committee thought proper to inquire into the changes that have taken place since 1818.

See Statement, Q. 1453-4.

By a Statement of Freight in each month and each year, since 1818, it appears that in the years 1818 to 1825, the rate per ton varied from 11*s.* – ⅜*d.* to 9*s.* 8*d.* And in the years 1826 to 1831, from 9*s.* 1⅝*d.* to 7*s.* 7¾*d.* In the years 1832 to 1835, from 7*s.* 11½*d.* to 7*s.* 3¼*d.* per ton, being a reduction of 3*s.* 7½*d.* since 1825, and of 8¼*d.* per ton since 1831. If 8¾*d.*, the reduction of charges per ton in 1836 on the Ship, is deducted, and the Freight paid in April 1836, of 8*s.* 6*d.* per ton, be added, the Shipowner has 1*s.* 7*d.* per ton more Freight now than in 1830, when he received 7*s.* 7¾*d.* per ton.

The

The heaving of Ballast in 1830 was 12*s.* per score, and is now 10*s.*; 45 tons of ballast cost 27*s.* in 1830, and now only 22*s.* 6*d.*, being a reduction of 4*s.* 6*d.* in the ship's charge for heaving ballast.

Ballast. Q. 145.

The present Rate of Seamen's Wages from 3*l.* 15*s.* to 4*l.* per voyage with a cargo of Coals; but the rate varies, with the demand for Seamen, and season of the year.

Seamen's Wages. Q. 1460.

By the Act which passed in 1831, a very great change was made in the Coal Trade in this Metropolis, commencing in January 1832; the various Enactments of the 9th of Queen Anne, c. 28, and other Acts relating to the trade in London River, the employment of Meters, &c., were repealed, and the Trade in Coal was evidently intended to be left free, as regarded the River Thames. All Coals, Cinders and Culm sold out of any Ship in the Port of London and Westminster, or within 25 miles of the Post-office of the City of London, were, from the date of that Act, to be sold by Weight, and not by Measure, each party being at liberty to appoint his own Weigher: and provision was made, that if any Dealer should knowingly sell one sort of Coals for and as a sort they are not, he should be subject to penalties.

Second Division of Inquiry.

Alteration of Sale of Coals in London from Measure to Weight, 1 & 2 W. 4, c. 76. Sect. 44.

Your Committee will state some of the consequences arising from the changes introduced by that Act as respects the Coal Market and the sale of Coals.

By the same Act the Coal Exchange is to continue vested in the Corporation of London, and to be an open Market; the Mayor and Aldermen to have power to appoint Clerks and Officers; to erect Buildings, and to repair and alter the same; and, for the purpose of defraying the Expenses of such Market, and, for the Compensations directed to be given by the Act to Meters and others discharged, the sum of 1*d.* per ton for every ton of Coals, Cinders or Culm, was ordered to be paid by the Master of every Vessel laden with Coal, and arriving at her moorings, within any part of the Port of London west of Gravesend, to the Corporation.

Coal-market, London.

Dues of One Penny per Ton. Sect. 23.

That, whenever the expenses chargeable thereon shall be paid out of such Duties, the surplus is to be invested in Government Securities, and accumulated until the yearly Dividends of such Securities, together with the Rents, shall be sufficient for the payment of the Clerks, Persons and Repairs, required to keep up the Coal Market, and then the duty of 1*d.* per ton on Coals shall cease; but may, if necessary, be again imposed for similar purposes. Your Committee called for an Account of the Coal Market Fund from January 1832 to December 1835, by which it appears that there has been credited the sum of 57,460*l.*, of which, after paying the charges on that Fund, 27,698*l.* have been invested in Government Securities to form the Permanent Fund for the support of the Market.

Sect. 24.

See Appendices, No. 10 & 11.

Appendix, No. 8.

Q. 2867, *et seq.*

The Dues of the Coal Market of 1*d.* per ton, on the yearly average of these four years, have been 8,888*l.* for 2,133,120 tons, and the average of yearly rents of the Coal Exchange for the same period has been 622*l.*

Coal Duties of One Penny per Ton in London for Four Years. Q. 2867 to 2888. *See* also Appendix, No. 11.

The Charge for the Establishment employed in collecting these Dues, and in keeping the Accounts, amounts, on the average of four years, to 1,287*l.*, and with contingencies for printing, postage, &c. the total charge is 1,950*l.*, which,

Appendix, No. 12. on a collection of 8,888 *l.* is at the rate of 21 per cent. In the charge for Contingencies is an item of 300 *l.* for entertainments to the Coal Committee, consisting of 46 members of the Common Council of the City of London; and in addition to this sum, 250 *l.* are allowed the Committee from the City's cash. The charges for repairs and rates of the Coal Exchange amount to 502 *l.* a year, whilst the rents are only 641 *l.*

Your Committee, therefore, call the attention of The House to these large receipts of the Penny Duty, and to the large proportion expended in collecting the same; and they trust that there may be an early prospect of the fund, if economically managed, accumulating so as soon to be sufficient, with the rents of the Market, to meet the annual charge, and thus relieve the public from the One penny Tax now imposed on every ton of Coals. Your Committee recommend these heavy charges to be kept in view when the annual Accounts are laid before Parliament (sect. 42), especially as the Dues paid to the Corporation are now more than formerly.

Q. 2867.

Bye-laws to regulate the Coal Market.
Q. 2848, *et seq.*

By the same Act (sect. 32) the Court of Lord Mayor and Aldermen have authority to make such Orders, Rules and Bye-laws as shall be necessary for the regulating and managing the Coal Market: but, by the Evidence of the Remembrancer, no Rules or Bye-laws have been made by them or judged necessary for the Trade since 1831; it appears, however, by the Evidence of Mr. R. Clarke, as elsewhere stated, that the Factors have made Regulations for the Trade, which have had, and must continue to have, important effects on the proceedings at the Coal Market.

Committees to manage the Coal Market.
s. 37.
Appendix, No. 2.

The Lord Mayor and Aldermen are also empowered to appoint one or more Committees to manage any business required to be performed by them at the Coal Market. But no Report from the Committee appears to have been made since the Report of the Coal and Corn Committee in 1831. A Committee of Nine Coal Factors and Nine Coal Buyers have, however, been formed to regulate the weighing and delivery of the Coals, as is elsewhere stated.

Your Committee are not desirous that any trade should be trammelled by regulations; but they are of opinion that, if any shall be considered necessary, they ought not to be made by persons who may have an interest in some degree opposed to that of the Consumers.

Changes in Coal Dues.
Appendix, No. 5.
By 1 & 2 W. 4, c. 16.
Appendix, No. 4.

Your Committee call the attention of The House to the Return annexed, by which it will be seen how many facilities have been given by the Legislature to the Coal Trade of the United Kingdom, by the repeal of duties on Coals carried coastwise: and also to the Return which shows the changes that have been made since 1830 in the Duties on Coals exported from the United Kingdom. Coals exported in British ships to any British Colony, which paid 18 *d.* per chaldron, are now free.

To Foreign Ports.
Appendix, No. 4.
Appendix, No. 3.

Coals in British ships to States, acting under Treaty of Reciprocity, paid 5 *s.* 9 *d.* per ton in 1830; reduced to 3 *s.* 4 *d.* on 1st March 1831; and, since the 6th of August 1834, a duty of 10 *s.* per cent. *ad valorem* is continued. Cinders and Small Coal have been exported at the same rates of duty as the Coals during these periods. The duty on Coals exported by foreign ships, not in Treaty of Reciprocity, was 10 *s.* per ton in 1830, and is now reduced to 4 *s.*

Mr.

Mr. Morton, the Agent of Lord Durham, states, that very little Coal is destroyed since the repeal of the duty, and that the removal of the duty was an actual saving of so much property; and it will be seen by the Returns that in the year 1828 the quantity exported was 357,864 tons; in 1830 it had increased to 514,419 tons; and in 1835 to 736,060 tons.

Q. 1093.

Q. 1096.

Appendix, No. 16.

Your Committee are satisfied that the Reduction of the Export Duty on Coal was judicious, and has created to the Coal-owners an amount nearly equal to the entire value of all the increased export of Coals; and, at the same time, has given considerable employment to British shipping; and from these beneficial results, it is most desirable to give every facility to the export of Coals and Culm to foreign countries.

Duty of 6 *s.* per chaldron on Seaborne Coal in 1830.

In 1830, the heavy duty of 6 *s.* per London chaldron on Seaborne Coals imported to the Thames, was justly complained of both by the Coal-owners and Consumers; and the opinion of Mr. Brandling, the Chairman of the Committee of Coal-owners on the Tyne, was then asked, "Whether, if the Coastwise "Duty upon Coal was removed, it would be wise for the Coal-owners to dis- "pense with the Regulation of the Vend?" He answered, "I think, in all "human probability, the effect would be, that there would be no occasion for "any regulation whatever. I think the removal of the duty would at once "create such a demand for the article, that the demand would be nearly equal "to the power of supply." But in this he has been mistaken.

Com. Rep. p. 322.

Appendix, No. 4, of Com. Rep. of 1830.

The lowest price of Russell's Wallsend Coals, as certified at the Port of Shipment in the year 1829, was 11 *s.* 3 *d.*, and the highest was 16 *s.* 9 *d.* per London chaldron; so that the duty of 6 *s.* on the medium price of 14 *s.* was a tax of nearly 43 per cent. on that necessary of domestic consumption. The same rate of duty was chargeable for the inferior kind of Coals, as well as for the best sorts, and thus became a heavier tax, as the quality and price of the Coal decreased.

Richmond Duty of 1 *s.* per Newcastle Chaldron on all Coals shipped in the River Tyne for consumption in England, repealed.

By Letters Patent of December 18, 29 Charles 2, and by the 30 Geo. 3, c. 10, (a Private Act,) recited in the 39 Geo. 3, c. 84, the Duke of Richmond was entitled to receive a Duty of 12*d.* per chaldon, Newcastle measure, on all Coals shipped in the River Tyne, to be consumed in England; and on the average of ten years, ending 1799, the Amount of that Duty had been 21,000 *l.* a year. On the 19th August 1799, the Treasury agreed with his Grace for the purchase of the said Duties by an annuity of 19,000 *l.* a year, payable out of the Consolidated Funds; and by the 39 & 40 of Geo. 3, c. 43, the same is charged on that fund, to be paid quarterly. That Duty of 1 *s.* per Newcastle chaldron ceased to be collected from the 1st March 1831, the same time that the Duty of 6 *s.* per London chaldron on all Coals carried coastwise to London was repealed.

Appendix, No. 14.

Your Committee called for an account of the several Sums paid at the Exchequer, under authority of the 39 & 40 Geo. 3, to purchase the perpetual Annuity of 19,000 *l.* a year for the Duke of Richmond; and it appears that the amount of 728,333 *l.* 11 *s.* 6 *d.* was issued for that purpose.

It appears by an account from the Inspector-general of Imports, that there was received by His Majesty's Customs, between the 19th of August 1799 and

the 1st of March 1831, the produce of the Richmond Shilling Duty, the Sum of 1,043,856*l.*, being at the rate of 33,264*l.* a year, on the average of the 31 years.

Appendix, No. 16.

Your Committee inquired how far the repeal of that Duty in 1831 had reduced the price of Coals to the Consumers, and the following question to, and answer of, Mr. R. W. Brandling will show that the repeal of that Duty has been entirely a bonus to the Coal-owners on the Tyne, and of no advantage to the Consumer.

Q. 377. "Can you state whether the Tax, called the Richmond Tax, the 1*s.* that "has been taken off, has had any effect on the general price?—I should think "it had not in that instance; it was a bonus given to a Coal-owner on the "Tyne; it was a positive Tax on us, and we had the benefit of its being "taken off."

It is to be observed, that the 6*s.* duty on Sea-borne Coals ceased from 1st March 1831. That the Repeal of that Duty, together with the Repeal of the Richmond Shilling Duty—the Duty on Coals exported to the Colonies; and the Reduction of Duty on Coals exported to Foreign Countries, were well calculated to afford great relief to the Coal Trade and to the Consumer. But it appears by the Returns, that all the advantages, anticipated from the repeal of these duties, have not been obtained. The Regulation of the Vend in the North certainly has not been abolished, as was anticipated by Mr. Brandling, in the Evidence he gave before the Committee in 1830. Your Committee have, therefore, to express their regret that after all those reductions of Duty and favourable changes made in the Coal Trade by Parliament, the Coal-owners should continue and extend their Combination against the Consumer, as they have done.

Duty on Coals Sea-borne, in 1836.

The whole Duty or Tax on Sea-borne Coals in the River Thames is now 12*d.*, and 1*d.* for the Coal Market, per ton, payable to the Corporation of London, for purposes which are set forth in several Acts of Parliament. By the 9th Geo. 4, c. 136, intituled, "An Act for improving the Approaches to "London Bridge," the Duties of 6 *d.* and of 4 *d.*, granted under former Acts, are continued to the 5th July 1858, for defraying the expenses of Public Works in the City of London; and, by the Act of the 1st & 2d Will 4, c. 76, s. 60, 1*s.* is granted to the Mayor and Commonalty of London, in lieu of these two sums, and of all Rates and Duties heretofore received by them on the metage of Coals, for Water-bailliage, Groundage, &c. according to Prescription, Charters, or previous Acts of Parliament; but the rights of the Corporation of London to charge as formerly for the metage of Coals, &c. may be resumed at the end of seven years, or whenever the Duty of 12*d.* per ton on Coals, Culm and Cinders (s. 61) shall cease to be paid to them, before the purposes directed by that Act shall be accomplished. The amount of these duties will be found in the Appendix.

Appendices, No. 6 & 7.

Charges for Water-Bailliage, Groundage, Permits and Certificates abolished.

Your Committee called for an Account of the several City Dues which (by s. 62) were suspended, in consideration of the 12*d.* per ton to be paid to the Corporation for Water-bailliage and Groundage, for Permits and for registering Certificates, received by the City in respect of the Coals imported into the Port of London, which ceased from 1st January 1832; but which may all be

be resumed, if the 12*d.* duty should cease; and the advantage to the City by that commutation.

By an account of the Charges paid to the Corporation in 1830 and in 1836, on a Cargo of Coals in the Port of London, it appears that they now receive 15*l.* 6*s.* 7*d.*, instead of 14*l.* 5*s.* 4½*d.*, being an increase of charge of 1*l.* 1*s.* 2½*d.* per Cargo since the passing of the 1 & 2 Will. IV.; viz. 4*l.* 14*s.* 4*d.* for City Dues, instead of 4*l.* 1*s.* 5¾*d.*; now 9*l.* 8*s.* 8*d.* for Public Works, instead of 9*l.* 5*s.* 5*d.*; and to the Market for Sale of Coals, 1*l.* 3*s.* 7*d.* instead of 18*s.* 6½*d.* Appendix, No. 10.

By the 6th Geo. 4, the Duty on Inland Coals, Culm and Cinders, brought by the Grand Junction or Paddington Canals, or by the River Thames, to London, was reduced to 15*d.* per ton; and that Duty, by the 1st & 2d Will. 4, c. 76, s. 64, was further reduced to 12*d.* per ton to the Corporation, and 1*d.* per ton for the Coal Market; thus putting the Inland Coal at the same Duty and Charge as Sea-borne Coal. Duty on Inland Coal reduced to 12*d.* and 1*d.* per ton.

By a Statement from the Chamberlain's Office, it appears that the application of the Surplus of the Dues, continued and appropriated by the Acts of the 10th Geo. 4, will pay off all the charges for Public Works, &c. by the 5th January 1855, and relieve the Coals from that charge; and Your Committee express a hope that no new charge may be imposed to render a continuance of the City Coal Duty necessary beyond the time stated. Termination of the Duty on Coals in 1855. Q. 2883.

By the Act of 1831, all Regulations of the Corporation of London, as to Certificates, Entries and Meters, were abolished, and the Coal Trade was made open to any parties who chose to attend. Coals in the Port of London are generally sold through the Agency of Factors, of whom there are about 19 houses, the same number as in 1830. Factors in London. 1 & 2 W. 4, c. 76. Q. 398. Q. 385.

It appears that frequent complaints were made by the Coal-owners, of fluctuations in the Market; and the Factors were requested to devise some means for regulating the Trade and preventing fluctuations in the Price. The Factors met on the 3d June 1834, and came to the following Resolutions, which were communicated to the Coal-owners' Committee in Newcastle, who approved of them, and these Rules have been in force ever since. Q. 407.

Mr. R. Clarke, a Factor, states, that "in consequence of a complaint made "by our employers, the Coal-owners and Ship-owners, in 1834, a Meeting of "the Factors took place, when a Resolution was passed that certain quantities "of Coals should only be offered for sale to support a fair remunerating price." He read the Resolutions of that Meeting: Q. 403.

"At a Meeting of Coal-factors, 3d June 1834, holden to take into considera- "tion a communication from the Coal-owners, the following Resolutions were "come to: Resolutions of the Factors.

"That the Factors being desirous of meeting the wishes of the Coal and "Ship-owners to devise some plan of checking the fluctuation of prices which "frequently occur by pressing sales, when a larger supply of Coals happens to "arrive than the actual demand of the day requires; it was

" Resolved, That whenever a greater number than 80 Ships reach Market on " any one day, the Factors shall offer them for sale according to the rotation " of entry, and that not more than 40 of such Ships shall be offered for sale " on one Market-day, unless the prices of best Coals be 20 *s.* or upwards, and " in that case to be at liberty to sell such further number of Ships as each " Factor may judge proper, giving to every vessel with the same Coals her fair " and regular turn of sale; by which arrangement the Ships will experience " little or no detention, and the evil be avoided of pressing for sale at a " reduced price a larger quantity of Coals, than the average demand of the " Market requires.

" Resolved, That the Factors shall make a return at three o'clock every " Market-day, of the number of Ships of the various descriptions of Coal that " were in their hands for sale, and the quantities of each sort of Coal sold, " with the prices thereof, which Returns shall be summed up by the Clerk " of the Night-office, and forwarded every Market-day to the Coal Trade- " office at Newcastle.

" Resolved, That with the view of affording every information connected " with the state of the Market, and the probable demand for Coals, the Chair- " man or Secretary shall officially communicate to the Coal Trade-office at " Newcastle, the sentiments of the Factors on that head, every alternate Thurs- " day, and oftener should circumstances require. Copies of such communica- " tions and returns being duly entered in a book to be kept for that purpose.

" Resolved, That the foregoing Resolutions be laid before the Coal-owners " for their concurrence; and, in the event of such Resolutions being approved " of, the Coal-owners be requested to endeavour to obtain also the sanction of " the Ship-owners to the same."

The Rule, by which not more than 40 Ships should be brought to Market in one day, unless the price of the best Coals were 20 *s.* and upwards, was altered on the 30th of January 1835, to 21 *s.*, and that rule has continued to this time as follows:

Resolution of Factors, agreed to at a Meeting on Friday 30th January 1835:

Q. 1943. " When the price of the best Sunderland Coals has been on the previous " market-day 21 *s.* or less, the number of cargoes to be offered for sale shall " be - - - - - - - - - - 40

When 21 *s.* 3 *d.* or 21 *s.* 6 *d.* - - - - - 50

— 21 *s.* 9 *d.* - 22 *s.* - - - - - - 60

22 *s.* 3 *d.* - - - - - - - 70"

Q. 1947. Mr. Clarke states, that on the 7th December 1835, some alteration in the price and number of ships was made, but on the 3d of March they returned to the above scale.

The above regulations do not limit the number to 70 cargoes when circumstances justify the expectation of a demand; for example:

Q. 1947. On the 7th January 1835, 100 cargoes were offered, of which only 82 were sold.

On the 21st January 1835, 120 cargoes were offered, of which only 75 were sold.

There

There are always more than the numbers fixed by the Regulation offered for sale, as all small vessels under 131 tons are, under certain circumstances, sold.

All vessels loaded with Coals for Gas Companies also begin to work on arrival. And also all vessels for the Government.

It will be seen by the Returns, that there are often great numbers of Ships detained in the River waiting for their turn, and very considerable delay must frequently take place. In the month of June 1835, the number of Ships at market was from 235 to 307 daily; whilst the numbers sold were only from 30 to 51 daily. In the month of December 1835, the number of Ships at market was from 83 to 435 daily; whilst the numbers sold were only from 31 to 111 in any one day. By reference to a joint Return from the Coal-meter and Chamberlain's Offices, it will be found that in some instances 28 days have elapsed from the date of the vessel's arrival at Gravesend to the date of her clearing out.

Q. 933.

Appendix, No. 51.

Mr. Bentley stated, in justification for making those Regulations, "that, "under the old Act, the Trade were compelled by penalties to transact the "business in a peculiar way, but now they have adopted such a system as "appeared to men of business best calculated to promote the interest of the "Trade and of the public at large."

Q. 985.

The Factors have an Office at Gravesend, very much for the convenience of the masters of the Colliers, and paid for 2 *s.* 6 *d.* per ship by the owners of cargoes; that Certificates of the cargo are sent to that Office as soon as the ship arrives within the limits of the Port of London, and the Clerk there then sends one copy to the Collector of Customs in London, the other to the Coal Exchange, where it remains with the Clerk of the Exchange for public inspection. The ship is entered in a book at Gravesend, and also at the Coal Exchange, according to her arrival, and the Coals are offered for sale by the Factors in rotation. The first 40 ships on the Register only, whether of the best or second Coal, are offered for sale if the prices on the previous day were less than 21 *s.* per ton; if above 21 *s.* and less than 21 *s.* 6 *d.* 50 ships are offered, and so on accorrding to their Resolutions: 21 *s.* being assumed as a remunerating price for summer, and 22 *s.* 3 *d.* sufficient for the winter voyages. The Factors are very strict in keeping to their regulations; and although a fleet of 300 sail should arrive, no more than 40 ships will be offered on any one day if the prices should be below 21 *s.* the previous market-day. The Factors, in reality feed the market, so as to keep the prices as near as possible to those fixed by their regulations; and, according to the price on the preceding market-day, the number of ships are offered for sale. The Secretary communicates, every alternate Thursday, to the Coal-trade Office at Newcastle, the sentiments of the Factors, as to the general state of the trade. If any Owner or Captain violates the Regulation, and brings, for example, the 50th ship to market, when 40 only are allowed, his conduct will be reported by Mr. Scott, the Secretary of the Coal-factors' Society, to the Coal-owners' Committee in the North, as was done to the "Olive Branch" and "Lavinia," noticed in another part of this Report; and the Captain must go the next voyage to one of the Collieries not in the Regulation, or procure his cargo from a Colliery in the Vend by any kind of subterfuge he can practise.

Office at Gravesend for entries of Ships arriving.

Q. 862.

Q. 422.

Q. 433.

Q. 436.

Q. 2191.

Q. 2560.

Q. 440 to 446.

There are three market-days, Mondays, Wednesdays and Fridays, continued as before, though not required by Statute; and the hours to sell and buy

Market-days at Coal Exchange.

Q. 545. Q. 828. *See* copy, Q. 831. Q. 832. Q. 545. Q. 561. Q. 880. Q. 516.

are from twelve to half-past two o'clock, as by the former Act of Parliament. Every Factor has a list, setting forth the sorts of Coal he has for sale on the Coal Exchange every market-day; and when a cargo is sold, an agreement is entered into with the buyer, the price and conditions of payment being stated in detail; and the buyer agrees to pay 1 ½ *d.* per ton for half metage. All sales are private sales. The Merchants may buy at all hours, but the Factor will not enter his purchase on that day if it should be made after half-past two o'clock; after half-past two o'clock, say on Monday, any person may buy for the next market-day to deliver on Wednesday; but no Factor will sell to deliver on Tuesday, as that would be against the Regulations, and the Factors will not take the consignment of Coals, unless the Owner complies with their Rules and Regulations; that is, to have their cargoes sold in rotation. Factors are paid by a Commission of one half per cent. on the amount of sale, and 3 *d.* per ton factorage; and they take the risk of the Merchants for payment.

Coal-owners in North support Factors' Regulations in London.

Q. 241. 240.

It is proved that the Coal-owners and Ship-owners in the North were consulted by the Factors in London when the Regulations were adopted, and that they were agreed to by the Coal-owners' Committee. Mr. Brandling states the object of these Regulations to be, that "if the Price in London rises above what is "considered to be the fair average price of Coal in the London Market, the "Factors offer a greater number of Ships for sale; if it falls below that, they "offer a less number for sale." The Ships, therefore, with Coals must wait their turn, as the Factors shall direct; and any Master or Owner who refuses to act according to the Regulations, and dares to sell his own Coals, or take the Ship out of turn, is noted by the Factors, and complained against to the Committee of Coal-owners in the North; the Secretary of the Factors' Society writes to the Secretary of the Coal-owners in Newcastle, and the Master who has so offended is prevented from obtaining a cargo of Coals from any of the Collieries in the Regulation of Vend, unless he will promise to act under the Regulations established by the Factors in London; and it has been proved in Evidence before your Committee, that the Coal-owners refuse, under these circumstances, to give cargoes to any Master who shall disregard the Regulations.

Q. 242. Q. 241. And refuse to load unless Masters comply with the Regulations. Q. 249.

Cargoes of Coal refused in the North.

Q. 2552 to 2729.

The Evidence of Mr. Dyer, a Coal-merchant and Ship-owner in London, is conclusive, and shows that the Collieries on the Tyne and Wear would not load his vessels with Coal, although money had been tendered for the same, because he would not employ the Factors in London, and allow his vessels to take their turn for sale in London according to the Rules and Regulations which the Factors have established. The letters from the Masters of the "Olive Branch" and "Lavinia" will explain some of the difficulties in obtaining cargoes of Coal when the Factors' Rules in London are not complied with, and vessels so circumstanced are very much delayed in procuring a cargo, and sometimes obliged to leave the trade altogether. Doubts have been expressed to Your Committee whether the Combination of Coal-owners in the North could be continued, if there was no Combination amongst the Factors in London; and the whole system of combination is, therefore, worthy the attention of Parliament, in the hope that measures may be devised to prevent such inconvenience to the trade.

Coal-merchants.

Q. 2163. 2190. Q. 2166.

Mr. Taylor, Coal-merchant, says, there is little variation in prices, during the Regulation; but, that during the open trade, they were cheap, and the poor were supplied cheaper; that the market would generally take off a larger quantity

quantity of the best Coal, if sold a little cheaper; that in the open trade a larger proportion of the best Coal came to market; he prefers the regular trade to the open trade, because the fluctuation is not so great, and thinks it has not interfered with the housekeeper's supply. Q. 2188. Q. 2208. Q. 2215.

Mr. Metcalf says that the Regulations have rather excluded best Coals; that on 4th January 1836, there were no best Coals at all in the market, although there were plenty of them in the River, and the public were obliged to take inferior Coals, owing to 40 Ships only being brought to market instead of 70, although the price on the previous market-day was 23*s.* 6*d.* per ton; and of that circumstance he complained to Mr. Wood, the Coal-owner. Decrease of best Coal at Market by the Regulation. Q. 2730. Q. 2732.

Mr. Metcalf, however, thinks that if the Regulations were done away, the public would not be benefited; they keep the price steady and moderate. In June 1833, when no Regulation existed, best Coals were as low as 14*s.* 9*d.* and 15*s.*, and many of the Collieries must have been laid in if the open trade had continued. It has also been stated, that during the Regulation great inconvenience has, at times, been felt from the want of Coals of first quality, and buyers have been obliged to leave the market without being supplied; there were, he thinks, fewer best Coals in the market 30 years ago than now, in proportion. Q. 2743. Q. 2196–7. 2205.

There are other circumstances which affect and have contributed to the steady supply of Coal besides the Regulations; and Mr. Bentley states, that since the introduction of steam the Coal-trade has quite changed; that, before the ships were tugged by steam-vessels out of the Wear and Tyne, there were periods of five or six weeks when London was without a supply of Coals, and it was then necessary to keep a sufficient quantity for supply, in warehouses and in craft; that now the Trade purchases only for present wants, knowing that there is always a supply in the River; and that, ever since the Regulation, there has been little variation of price. Q. 973. Q. 984. Q. 978.

Weighers.

On the Repeal of the late Act of Parliament, the Meters' Establishment of the City of London ceased from January 1832, and it was considered impossible to carry on the Trade without an Office of the kind. A communication was made to the Factors by the Buyers, that they would not be satisfied to receive Coals weighed by a person in the employ of the Ship-owner, unless they had a person there to superintend the same, and in most cases, the cargoes being sold to many buyers, this mode would have been attended with a heavy expense. Q. 486.

Committee of Factors and Buyers.

A Committee was therefore appointed, consisting of an equal number of Factors and Buyers respectively chosen, to consider and arrange the best and most convenient mode of carrying on the Trade, when it was determined to appoint a sufficient number of weighers, and to provide machines with proper weights for the purpose of securing a correct delivery, the expense of which to be equally divided between the buyer and seller; the weighers to be under the control of a Committee of nine factors and nine buyers, annually chosen from the respective branches of the Trade.

One hundred and fifty Weighers have been appointed, who are continued during good behaviour, and who are paid 2*d.* per ton for the Coals they weigh out, with 2*s.* per ship for certificates; and, in case of being ordered below

Blackwall, are allowed from 4*s* to 6*s*. per day for travelling expenses. Another penny is paid to the Weighers' Fund; the 3*d*. paid for weighing being paid equally by the Factor and the Buyer.

Q. 14.

	£.	s.	d.
The average sum earned, by the Weighers, per man, in the year 1835, was	115	17	–
120 of the first class got, each	121	19	8
30 extra, each	102	7	–

There were 7,110 Ships weighed out by the Office in 1835, delivering 2,085,057½ tons. The minimum quantity for a day's work is 49 tons; but, in one case, 203 tons were delivered. 758 ships, in 1835, containing 173,230 tons, were delivered, without being weighed by the regular Meters, or if weighed, were weighed out by other parties.

Q. 1473-4.

The Cargoes are delivered by the Meters, according to a Turn-paper kept in the Clerk to the Meters' Office; and there does not appear to have been any complaints of delay from the want of Meters.

Appendix, No. 47. Q. 2502. Appendix, No. 48.

There appears by a Return to have been only seven Mondays, during the year 1834, on which some ships were waiting for Meters, and from 19 to 150 ships at work delivering. In the months of October and December 1835, the number of vessels waiting for Meters, and for barges to take them from the vessels, were from 26 to 111 on the greater number of days, and during that period about 150 ships were at work.

Q. 844.

There is no limitation as to the quantity of Coals to be delivered in one day, but the will of the proprietor; but there never can be less than 49 tons. A certain quantity is always placed in certain rooms of the Coal-barges, so that the public can always tell that there is a certain quantity there.

Q. 531.

Q. 847.

Cargoes are sometimes taken according to the Certificates from the Port of Shipment, and Meters are not then necessary. The Freighters, however, are obliged by law to make a Return of the Quantity, once in three months, to the City of London, for the security of the Dues; and he is obliged to make an affidavit of the correctness of the Return.

Q. 853.

Meters' Office Dues. Q. 1487-8.

Your Committee called for an account of Money paid for weighing since 1832; and it appears that the Meters' Office receives 3*d*. per ton for all Coal delivered by them, they having paid about 2½*d*. per ton for the purchase of machines, barges and other utensils for carrying on the Trade; and the halfpenny retained, has accumulated to the sum of 13,500*l*. now in hand; that as soon as that fund is increased so as to give an interest of 1,000*l*. a year, by which to maintain the utensils &c., it is intended to reduce the metage a halfpenny, or to 2½*d*.; and the Consumer will profit by that reduction whenever it shall take place. Your Committee recommend that attention be paid to these charges, which appear high, when the aggregate amount of earnings is considered.

Charges on Coals from the Vessel to the Cellar of the Consumer in 1830. *See* Com. Rep. of 1830, p. 8.

Your Committee have ascertained that there were eight or nine different items of charge on a London chaldron of Coals in 1830, from the vessel to the cellar of the Consumer, amounting altogether to 13*s*. 9*d*., as follows:

Buyer's

	£.	s.	d.
Buyer's commission	–	1	–
Lighterage	–	2	–
Cartage	–	6	–
Credit	–	2	–
Shootage	–	1	3
Add for even money	–	–	3
	–	12	6
Metage	–	–	8
Market dues	–	–	1
Land metage	–	–	6
£.	–	13	9 or 11s. p'ton.

Whilst the charges on a ton of Coals, at the present time, from the vessel to the cellar of the consumer, is about 7s. per ton, showing a reduction of 4s. to the Coal Merchants, or nearly 45 per cent; viz. Charges in 1836.

	£.	s.	d.
For Lighterage	–	1	3
Wharfinger	–	–	6
Loading	–	–	9
Cartage	–	3	6
Shooting	–	1	–
£.	–	7	–

to which must be added the profits of the merchant; but the 1½d. paid for weighing, 6d. for tret in lieu of ingrain, the expense of sacks, of the weighing-machine to accompany every cart, &c. are included in the above charge. It is alleged by some that considerable advantages are derived by the consumer from the sale by weight; whilst Mr. Clarke states, that there have been more complaints about Coals since they were sold by weight than formerly, but he also says, that the Trade has always been complaining since he knew it; that the prices have been more uniform in summer and winter than formerly, and the supply more regular, by the facility of Ships getting out of the Rivers Tyne and Wear by the assistance of Steam. Advantages by sale by Weight. Q. 572. Q. 529. Q. 535.

The Coal-merchants buy from the Factors; and, except in large breweries, gas-works and manufactories, where they purchase whole cargoes, all Coals pass through their hands to the Consumers. The Merchants generally keep their own barges for unloading the vessels in the Pool, and carts for carrying them from the wharfs to the houses of the Consumers. Coal-Buyers or Merchants. Q. 2109.

The Coals are landed by gangs of four men, who are able in a good day's work to load 50 tons, for which they receive 37s. 6d.; and thus, when there is constant work their earnings are large. Some mixture of Coals is made at the wharfs to suit the customers, but, generally, the Coals are loaded as they come from the vessel. The men who deliver the Ships are called Whippers; and from the Evidence before the Committee in 1830, their situation, earnings and habits, under the existing system, deserve further inquiry, both as regards themselves and the Public. Q. 2240. Delivery of Coals.

There is a great Competition in the Retail Trade, and the prices are thereby reduced to obtain customers. Some of the Merchants are also Ship-owners, but it is found generally more convenient to purchase Coals as they are wanted. The best Coals are always purchased first in the Market, and a large supply Q. 2156. 2170. 2162.

of them would reduce the price; the variation in the price of cargoes of the best Coals seldom exceed 3*d.* in one market-day.

Price to Housekeepers. Q. 2524. 2527. Appendix, No. 42. Appendix, No. 43.

By Accounts laid before the Committee, it appears that in the last five years, the prices charged to a Housekeeper in London varied from 35*s.* to 30*s.* per ton. Chelsea Hospital has had its Coals at from 23 *s.* to 19 *s.* 7 *d.* per ton, or 21 *s.* 4 *d.* on the average of the last five years; and on the average of 1829, 1830 and 1831, at 33 *s.* 2*d.* per chaldron or 26 *s.* 5*d.* per ton, being a reduction of 5 *s.* 1*d.* per ton. Whilst the reduction on Coals supplied to Greenwich Hospital has been 7 *s.* 7*d.* per ton in 1835, as compared with 1831.

Prices to the Poor in Retail. Q. 2537. 2518. 2540.

When sold in retail, in small quantities, the general charge is 1 *s.* 6 *d.* per cwt., some for 1 *s.* 4 *d.* and 1 *s.* 5 *d.*, and others for 1 *s.* 7 *d.* or 1 *s.* 8 *d.*, according to the situation in the Metropolis, adding always a penny or a halfpenny on the sale of a half or quarter of a hundred-weight. The Coals sold at those prices in retail are generally inferior.

The Clerk and Register of Coal Market. Q. 1843.

Mr. James Pearsall, Clerk and Registrar of the Coal-market, appointed by the Corporation of the City of London, receives the Fitters' Certificates of every Ship entering the Port of London from the Master or Agent, or he receives them by post, by which the quantity upon which the City Dues are to be collected is ascertained; and, as soon as the Dues are paid, a permit to unload is granted. He keeps a book with those entries open to the inspection of the public. On the 16th December 1831, the Coal and Corn Committee of the Common Council of the City made a report to the Lord Mayor and Aldermen, for the future management of the Coal-market, and of the City Dues to be received upon Coals. A Clerk Collector and a Clerk Registrar, at 650 *l.* each, (they paying their Assistants out of that sum), and an upper and under Beadle, were appointed. The duties of these officers, as detailed in the Evidence and Appendix, are solely for the collection of the City and Market Dues. Until the 1st & 2d Will. 4, a Daily List was published by the Clerks of the Market, showing the Number of Ships at Market, the Numbers sold in the day, and the Number remaining unsold: in that List the Prices of each kind of Coals, as sold in each Market-day, were given. The Clerk of the Market publishes no such Daily List now; but a Monthly List of the Number of Ships and the Quantity of Coals arrived in the River, is prepared by him. At present each Factor sends to Mr. Biggs, who keeps an office at the Coal Exchange, the Prices at which he has sold his Coals at the Market on that day,, and Mr. Biggs publishes a General List of Coals sold, and the prices; but he does not give any account of the quantity of each description of Coal offered for sale or sold, so that the Public has not the official means of knowing, as formerly, the state of the Market. The Quantity actually delivered is known from the Weigher's-office. Four Quarterly Returns of the Coals shipped for London, and the Prices of them, are sent by the Fitters at the port of Shipment to the Clerk of the Market in London. Besides the Regulations for the Collection of the Dues above stated, no Bye-laws have been made by the Corporation, which have left the Factors and Dealers perfectly free; and it does not appear that any complaints have been made to any of the City Officers of the want of Regulations, or against the Regulations made by the Factors and Buyers of Coal. Mr. Pearsall and others think that the Trade could not be carried on without those Regulations.

Appendices, No. 2 & 3. Appendix, No. 2. Q. 1865. Q. 1879. Q. 1883. Q. 1893.

London Import of Coals. Q. 1910.

The following Abstract from Accounts in Mr. Pearsall's Office will show the Places from whence the supply of Coals was imported into the Port of London

London in each of the last eight years, showing the Increase and Decrease from each Port, in tons:

	In Four Years, 1828—1831.	In Four Years, 1832—1835.	Decrease.	Increase.
	Tons.	*Tons.*	*Tons.*	*Tons.*
From the port of Newcastle -	5,178,255	4,641,724	536,531	—
From the port of Sunderland	2,241,207	2,455,663	- - -	214,456
From the port of Stockton -	110,413	795,765	- - -	685,352
From the port of Blyth and Seaton Sluice.	257,568	226,941	30,627	—
From Inverkeithing, and other ports of Scotland.	89,321	145,159	- - -	55,838
From Swansea, Llanelly, and other ports in Wales.	126,799	148,988	- - -	22,198
From Hull, Goole, and other ports in Yorkshire.	100,538	112,744	- - -	12,206
Totals - - -	8,104,101	8,526,984	567,158	990,041

The following Account from Mr. Pearsall's Office shows the Quantity imported in each of the last eight years, from 1828 to 1835, into the Port of London, by which it will appear that from 1829 to 1834 inclusive, there has been a small increase, chiefly of 210,000 tons in 1835.

	No. of Ships.	*Tons.*	*Tons.*
1828 - -	6,750	1,96 0,55	
1829 - -	6,992	2,018,975	8,104,101
1830 - -	7,108	2,079,275	
1831 - -	7,006	2,045,292	
1832 - -	7,528	2,139,078	8,526,984
1833 - -	7,077	2,010,409	
1834 - -	7,404	2,078,685	
1835 - -	7,958	2,298,812	
Increase in the last Four Years -			422,883, or 5 p' cent.

Your Committee, in giving the above Abstracts of Quantity imported into the Port of London, have to remark, that there has not been that increase of consumption which was expected by the repeal of the duty of 6 *s.* on Sea-borne Coal in 1831, and by the diminution of duties and of other charges on Coal since 1829, as already detailed.

THIRD BRANCH OF INQUIRY.

Crowded state of the Pool.

The attention of Parliament has been at different times drawn to the state of the River Thames and the Pool, inconveniently crowded by the great number of Colliers waiting for delivery of their Coals; and, by the great number of Lighters or Barges into which the Coals are put for delivery at the Wharfs; and various means have been recommended to remove those impediments to the free and safe Navigation of the Thames.

Captain Fisher. Q. 2790 to 2846.

The Evidence of Captain Fisher, the Senior Harbour-master of the River Thames, will explain that, by the crowded state of the Pool, many of the Colliers are often obliged to lie very low down in the River towards Greenwich, and there wait their turn to come to the tiers for delivery in the Pool, which occasions considerable loss of time and increased trouble and expenses in changing their berths. He also states the great advantage that would arise if some of the Colliers could unload at wharfs, on either side, and at

different parts of the River, so as to be convenient to the residence of the consumers, by which a double advantage would be obtained; the Pool would be cleared of a part of the Colliers, and the number of those down the River, which are now obliged to wait their turn of discharge, would be reduced; the Coals could be delivered without the intervention of lighters, and the lighterage charges would be thereby saved. He is of opinion that vessels of a particular build, of 200 tons burthen, might be employed in the Coal Trade between the Ports in the North and London; and that they might deliver their cargoes at the wharfs on the Thames, without lying at all in the Pool.

Mr. Searle. Q. 2758 to 2789.

Mr. Searle, who has been acquainted with the Navigation of the River for 30 years, stated to the Committee that he recollected vessels of 120 tons loaded with Coals coming through London and Blackfriars' Bridges, and discharging their cargoes at different parts of the River, as far up as Scotland Yard; and he considered that the removal of old London Bridge afforded greater facilities now to the passage of Colliers, or vessels of a particular build, suited for the River; that although the ebb-tide now ran quicker out, and there was 12 or 18 inches less water at ebb than before the removal of the Bridge, yet the River rose considerably higher in north-westerly gales since that time; that the average increased depth of the water was not more than six or seven inches in ordinary tides; that there was now no danger in passing down through London Bridge since the new one was built, and that he saw nothing to prevent vessels of 200 tons delivering at wharfs on either side of the River, as formerly. He stated that he had seen Yorkshire vessels of 120 tons delivering Coals at Kew Bridge, having gone up the River without difficulty; and that such vessels may pass up to any part of the River without the expense of a pilot or waterman.

Joint Stock Coal Companies of more than five persons not permitted. Q. 2900.

The attention of the Committee has been called to the 28 Geo. 3, c. 53, intituled "An Act," amongst other matters, "for the better preventing of Com-"binations in the Trade of Coals." By Section 2d, it is declared that any number of persons exceeding five, uniting for the purpose of buying and selling Coals, to be deemed Combination; as follows:

Section 2.

"And whereas a certain number of Coal-buyers have formed themselves "into a Society, and held private meetings at the Coal Exchange, in the City "of London, professing to make Regulations for the purpose of carrying on the "Trade in Coals, which Regulations may have a tendency to prevent the said "Trade from being free and open; be it further enacted by the authority afore-"said, that from and after the 1st of June 1788 any number of persons united "in covenants or partnerships, or in any way whatsoever, consisting of more "than five persons for the purchasing of Coals for sale, or for making regu-"lations with respect to the manner of carrying on the said Trade in Coals, "shall be deemed and adjudged to be an unlawful Combination to advance "the price of Coals, and every person concerned therein shall be liable to be "punished by indictment or information for the same in His Majesty's Court "of King's Bench at Westminster."

1 & 2 W. 4, c. 76.

Since that Act was passed many Enactments have been made respecting, and with the view of freeing, the Coal Trade from all trammels. By the 46th Section of the last Act "for regulating the Vend and Delivery of Coals in "the Cities of London and Westminster," &c., passed in 1831, it was enacted "that

" that Lightermen may carry on Partnership with Coal-dealers, any statute, " bye-laws or ordinance whatsoever to the contrary thereof notwithstanding." But the Enactment of the 28 Geo. 3, has not been repealed, and the Law in that respect appears to Your Committee worthy the immediate attention of The House.

By all the Acts which have been passed for the Regulation of the Coal Trade of London, there has been an evident intention on the part of the Legislature to prevent combination and monopoly; and to ensure to the consumer, as far as possible, an ample supply of that article at a reasonable price.

It has been stated to Your Committee that a Joint Stock Company had lately been projected to carry on the Coal Trade in London, and by their prospectus, an estimate is given that they could supply Coals at a reduction of 4*s*. per ton below the present prices. But, by the opinion of Samuel Turner, esq., barrister, dated 26th May last, " No mode can be adopted short of " an Act of Parliament to carry into effect the objects of the proposed Com- " pany, so as to avoid coming within the Act of the 28 Geo. 3, c. 53;" and David Pollock, esq., barrister, on the 10th June 1836, states, " I have looked " through the various Statutes relating to Coals, passed since the 28 Geo. 3, " c. 53, but cannot discover that the provisions of that Act have been repealed " or altered; indeed, as Mr. Turner has treated it as an existing Statute, there " was no reason to expect it otherwise; but I thought it right to examine this " point. It appears to me, therefore, that no Coal Company, which has for its " object merely to buy and sell Coals, can be legally established, except under " the powers of an Act of Parliament." Your Committee have reason to believe, that His Majesty's Attorney and Solicitor-general concur with Messrs. Turner and Pollock in the necessity of repealing the 28 Geo. 3, c. 53, before any Joint Stock Company, consisting of more than five Partners, can engage in the Coal Trade.

Q. 2901 to 2907.

See Opinion of Mr. Turner. Q. 2904.

See Opinion of Mr. Pollock.

Mr. T. Wood states, that the best means of securing a supply to the public, and of preventing high and extravagant prices, is, by Parliament opening, by every means in its power, competition from all the Coal districts in the country; and if Coals were reduced to the lowest remunerating price, that that would be the best security against undue competition.

Q. 2442. 2446. 2453. 2468.

The attention of Your Committee has been called to the Fields of Coal in the North as well as in the Midland and Western Parts of England, as the means of opening new sources for the supply of that article to the Metropolis. The Evidence of the Rev. Adam Sedgewick, the Woodwardian Professor of Geology in the University of Cambridge, before the Select Committee of the Commons in 1830, affords full information on that important subject, as regards the County of Durham and Northumberland, to which Your Committee would refer. The Evidence of the Rev. William Buckland, D. D., Professor of Geology in the University of Oxford, as to the Fields of Coal in England and Wales, is also worthy the attention of Parliament.

Fields of Coal in England.

Report of 1830, p. 231.

Com. Rep. of 1830, p. 240.

The Evidence of Mr. Fenwick, an experienced Coal Viewer, taken before the Committee on the South Durham Railway, in respect to the increased and cheaper supply, which it is alleged might be procured by the opening of that and other Railways for which Bills were introduced into Parliament this season, is annexed to this Report; and Your Committee, under

Additional Supply from Midland Counties, &c. Appendix, No. 50.

the peculiar circumstances in which these inquiries now stand, think it necessary to call the particular attention of The House to the fate of the Durham South West Junction and South Durham Railway Bills, introduced with the view of opening an increased supply of Coals for the London Market, and that further inquiry is necessary.

Supply from Forest of Dean, &c.

Evidence was offered to show the facility of bringing a large and cheap supply of Coals from Birmingham and other inland Places, and also from the Forest of Dean; but Your Committee did not consider that they had time properly to investigate these allegations; and, therefore, only notice them as within the cognizance of the Committee in the course of their inquiries.

Amount of return for Capital employed in Collieries.

Many of the inquiries of the Committee have been made with the view of ascertaining the Rate of Profit, or Return for the Capital expended in the winning and working of Coal-pits; but Your Committee submit that the great difference in the situation, depth and quality of the pits, render it difficult, if not impossible, to come to any precise results as to the profits of capital, which must vary so much, and depend upon so many circumstances, according to locality and management; and Your Committee, therefore, are of opinion, that each proprietor or adventurer must be left to the exercise of his own discretion in all these respects; and that Parliament cannot, and ought not, to intermeddle, except by giving every practicable facility to all such enterprises. Mr. Brandling, in 1830, stated, that under the Regulation of the Vend, the Collieries generally yielded more than five per cent., but that few Collieries yielded 10 per cent. The Evidence before Your Committee is unsatisfactory in that respect.

Report of 1830, p. 263.

Statements of the Amount of Capital requisite for the winning and working of Coal-pits have been given in to Your Committee by Mr. Buddle, by Mr. Dunn, and by Mr. Thomas Wood; and to these calculations, and the explanations in the Evidence accompanying them, Your Committee must refer.

Q. 1750.

Q. 2392. and Appendix No. 44.

Q. 1371.

Your Committee, considering the various modes by which the combination of Coal-owners in the North, and the union of Coal-factors in the South, have raised the prices of Coal, are of opinion that all attempts to support a general remunerating price for Coals, which are necessarily raised under such varied circumstances, cannot be successfully maintained, without prejudice to the Public.

Opposition by Coal-owners' Society to Railways without Wayleaves.

One of the consequences of the combination of the Coal-owners in the North, complained of in the Petitions referred to Your Committee from the County of Middlesex and City of Westminster, is their opposition to every new source of supply of Coal, where the expenses in bringing the Coal to market are to be less than those expenses existing in carrying Coal from Collieries already existing on the Tyne and Wear. The early Coal-owners made their voluntary arrangement with the Proprietors of the Land over which their Railways had to convey the Coals, and agreed to pay transit duty under the title of "Way-leaves," some instances have amounted to 350*l.* a mile, in others the sums paid have been equally extravagant. By the late Acts for establishing Railroads, power is given to the Promoters to purchase the surface of the land over which the Roads are to run, by fair valuation; and the result has been a greatly reduced charge by all these new Railways, as compared with the old Newcastle Railways. Coal-owners consider this mode as subversive

versive of the long established customs of the Country, and unjust to the existing Lessors and Lessees, and therefore, oppose the Bills for Coal Railways by a common purse.

Comparison of Way-leaves and Railways.

An Estimate has been given by Mr. Dunn of the amount paid for Way-leaves by the Stanhope and Tyne Collieries at 250*l.* per mile; and taking 12 miles of the South Durham Railway at that rate, the yearly payment would be 3,000*l.*, whilst if the land is purchased, as the law directs, at a fair valuation, it would cost only 11,000*l.*, for which 500*l.* or 600*l.* a year, or about one-sixth of the charge of the Stanhope Colliery, would be paid, which shows the reduced charge at which Coals might be brought by the Durham South West Junction and South Durham Railways; and there can be little doubt that the supply of Coals by these Railways when completed, would affect the general market of Coals, if they did not also, when in operation, join in the Regulation. Mr. Dunn says that the South Durham Railway will open a large field for the supply of good Coal; and Mr. Thomas Wood, that the sending of Coals by public railways would tend to reduce the general cost of the Coals.

Q. 1408 to 1413.

Q. 1423.

Q. 1291. 2045.

Stockton and Darlington Railway.

When the Stockton and Darlington Railroad was at first projected, the Coal-owners of Newcastle and the Wear petitioned against it, on the ground that it exonerated the Coal Proprietors of that Railroad from Way-leave Rents, which are paid on the Tyne and Wear. They were not opposed to the Coal Trade being opened in any part of the Kingdom, but they objected to the new Railroads, being without the heavy charge of Way-leaves, which they pay.

Q. 194.

Q. 346. 349.

Mr. Brandling declared in 1830, and has repeated to Your Committee, that it is not a legitimate object of Government to enable Proprietors to bring Coals to market at a cheaper rate by Railroads, without Way-leaves, &c., to enable them to compete with their old Collieries. We complain, said he, that Government should assist the Proprietors of Inland Collieries to enable them to compete with us in markets we were formerly in possession of.

p. 269.

The Coal-owners at Newcastle thought it unfair that Railroads without Way-leaves should be allowed to go down to the Tees, and therefore they petitioned against the Bills for making the Railroads leading to that River; they considered it then, and now consider it, an interference with Private Property to allow Coals to pass at a reduced expense for transit.

p. 268.

Durham South West and South Durham Railways.

On the same principle there was a great Meeting of the Coal-owners of the Tyne, Wear, Tees, Seaham, &c., at Newcastle, on the 2d of April last, when they determined to watch the progress of the South Durham Railway Bill, and to oppose it as follows:

Q. 202. 362.

See Copy of Resolutions.

" Resolved, on the motion of Mr. Joseph Lamb, seconded by Mr. Thomas " Taylor;—1st. That the Bill which has been brought into Parliament, to " enable certain persons to form the South Durham Railway, is not required " on the ground of there being any public necessity for such a measure, that it " is in direct violation of the acknowledged rights of the landed Proprietor, " subversive of the long established Customs of the Country, and unjust as " regards the Lessors and Lessees of existing Collieries, and therefore, taking " these circumstances into their serious consideration, this Meeting is of " opinion, that the progress of the Bill ought to be carefully attended to; and, " if

" if necessary, the whole subject brought under the serious consideration of the " Legislature."

And, by Circular of the 7th of April, a Subscription of 12 *s.* 6 *d.* for each 1,000 on the basis, was directed to be called for to defray the Expense of the Opposition to the Bill. In a Petition to the House of Commons from Pro-
Q. 207. *See* Copy. prietors and Lessees of Coal Mines and Collieries in the Counties of Northumberland and Durham, it was declared that the passing of the South Durham Railway and Durham South West Junction Railway, " in the present shape, " without Way-leaves, would be a most unjustifiable bonus to the Promoters " thereof, subversive of the long established Customs of the Country, and " unjust to the Lessors and Lessees of existing Collieries and Railways."

Q. 209. 352. 344. At a Meeting of the Coal-owners in London on the 16th April 1836, it was agreed to retain Counsel against these Bills, and 400 *l.* was to be collected for that purpose.

(Copy.)

" At a Meeting of Coal-owners at the British Coffee-House, 16th April 1836;

" Present, the Marquis of Londonderry in the Chair,

" Lord Ravensworth, Sir George Musgrave, Mr. R. W. Brandling, Mr. H. " Taylor, Mr. J. Buddle, Mr. T. Brown, Mr. M. Bell, M. P., Mr. C. Perkins, " Mr. M. Wood and Mr. Davison; to take into consideration the Resolutions of " the General Meeting of the Coal-owners of the Rivers Tyne, Wear and " Tees, together with Seaham, Hartley, Cowpen and Netherton, held at New- " castle on the 2d of April, with a view of forwarding their Objects, and more " effectually promoting their Decisions.

" It was Resolved unanimously, That in the opinion of this Meeting the " projected South-west Durham Railway is injurious in principle to the " interests of the Coal Trade, as well as the South Durham Railway; and " that the Coal Trade ought to co-operate with and assist the landed pro- " prietors, lessors and lessees of Coal-mines and Way-leaves, upon the line " of the South-west Durham, in their opposition to that Railway, now before " Parliament.

" Proposed by Mr. C. Perkins, and seconded by Mr. H. Taylor,—Resolved, " That Mr. Stephenson have a retainer for both the South-west Durham " and South Durham Railways.

" Resolved, That the Special Committee appointed at the General Meeting " at Newcastle meet from time to time, and act under the authorities already " delegated to them; and if they deem it necessary, that they call at any " time another General Meeting of the Coal-owners in Town.

(signed) " *Vane Londonderry.*"

Q. 211. Mr. Brandling admits that the Money subscribed was expended in paying Counsel, and the necessary expenses incurred in attending to those Bills.

There have been several Bills passed for establishing Railroads in the North without Way-leaves; viz. the Stockton and Darlington in 1825; the Clarence in 1832; the Hartlepool in 1834; Blagden and Hebburn; the Durham Branch to Hartlepool, and others.

In

As the result of the inquiry, it appears that, taking the average prices of 18 different kinds of Coals, chiefly used in London, there has been a reduction on the Coal Exchange in the year 1836, as compared with 1830, of 4*s.* 9½*d.* per ton, or from 24*s.* 4*d.* in 1830 to 19*s.* 6½*d.* per ton in 1836.

PRICES of the London Coal Market.

	April 1830 *.		April 1836 †.		Difference Less.	
	London Chaldrons.	*Tons.*	*Tons.*		*Tons.*	
NEWCASTLE WALLSEND:	£. s.	£. s.	£.	s.	£.	s.
Bewicke's	33 7 =	26 1	20	7	5	6
Browne's	30 6 =	24 1	19	3	4	10
Hilda	31 11 =	25 –	19	9	5	3
Heaton	33 7 =	26 4	20	6	5	7
Newmarch	33 4 =	26 –	19	5	6	7
Average of Five Kinds	—	25 5½	19	10½	5	7
NEWCASTLE:						
Adair's Main	29 9 =	23 4	18	1	5	3
Bensham	26 9 =	21 –	16	6	4	6
Pantop, Windsor	26 8 =	20 11	16	3	4	8
Tanfield Moor	29 1 =	22 9	20	–	2	9
Willington	32 7 =	25 3	20	6	4	9
Average of Five Qualities of Newcastle	—	22 8	18	3	4	5
SUNDERLAND:						
Lambton's Primrose	32 2 =	25 2	19	9	5	5
Hetton's Wallsend	35 – =	27 5	21	5	6	–
Lambton's ditto	35 2 =	27 6	21	1	6	5
Lyon's ditto	33 1 =	25 11	20	3	5	8
Stewart's ditto	35 – =	27 6	21	2	6	4
Russell's Hetton's	34 11 =	27 5	21	9	5	8
Average of Six Qualities of Sunderland Coals	—	26 9¾	20	10¾	5	11
Cowpen Main	28 – =	22 –	18	6	3	6
Hartley	29 – =	22 9	19	9	3	–
Average	—	22 4½	19	1½	3	3
6 of Sunderland	—	26 9¾	20	10¾	5	11
5 of Newcastle	—	22 8	18	3	4	5
5 of Ditto - Wallsend	—	25 5½	19	10½	5	7
2 of Blyth, &c.	—	22 4½	19	1½	3	3
18 Average of 18 different kinds	—	24 4	19	6¼	4	9½

* Appendix, No. 38.

† Q. 941.

By the statement of Prices, 28 sorts of Coals at the Ports of Shipment, there has been a reduction of about - - *s.* 1 *d.* 3 5/8 per ton.

	s.	*d.*
Of King's Duty - - - 4*s.* 8 3/8		
Of Charges in the Pool 0*s.* 5 3/8	5	1 6/8
Of Charges which apply to the Ship	–	8 6/8
Showing a reduction of	7	2

Leaving a difference of about 2*s.* 4½*d.* on Coals to the Coal Exchange. In the charges from the Coal Exchange to the Consumer's Cellar there has been a reduction of 4*s.* per ton, which, with the 7*s.* 2*d.* reduction as above, should give the Consumer in London Coals 11*s.* 2*d.* cheaper now than in 1830. Mr. Wood has stated, that with an open trade the best Coals would be supplied 4*s.* per Newcastle Chaldron, or 1*s.* 6*d.* per ton, cheaper, than they now are; and, by the estimate of a Joint Stock Company, 4*s.* per ton may be further reduced, if the 28 Geo. 3, c. 53, is repealed, and the application of Capital to the Coal Trade be fairly applied. So that a reduction of 16*s.* 8*d.* per ton to the Consumer in London may be effected, as compared with the prices of 1830, if the measures recommended should be carried into effect.

In conclusion, Your Committee, would refer chiefly to the Evidence of Messrs. Brandling and Buddle, and to the principles which those Witnesses support; viz. the right which the Coal-owners have to combine to regulate the supply at such prices as they shall fix; and the right to prevent any Coals being brought to Market at a less Charge for Carriage than they pay for their own. Your Committee call the particular attention of The House to the proceedings of the Coal-owners, in opposition to the progress of the Durham South-west and South Durham Railway Bills, as fully detailed in the Evidence, which must have the effect of interrupting the supply of Coals for the Metropolis. Your Committee recommend that every means of promoting a new supply be encouraged, as furnishing the most effectual mode of counteracting the Combination of the Coal-owners in the North and of the Factors in London; and also that a Bill should be forthwith introduced to repeal the prohibitory enactment in the second section of the 28 Geo. 3, c. 53, so as to leave the Coal Trade free in the Port of London to the competition of capital and enterprise, which are now excluded by the penalties of that Act.

Recommendation to repeal 28 G. 3, c. 53.

PROCEEDINGS OF THE COMMITTEE.

Mercurii, 3° *die Junii,* 1836.

PRESENT.

Mr. Hume.
Mr. Edward Barrett Curteis.
Mr. William Crawford.
Mr. Wakley.
Mr. Pease.
Mr. Bell.

Martis, 7° *die Junii,* 1836.

Mr. Hume.
Mr. William Crawford.
Mr. Ingham.

Jovis, 9° *die Junii,* 1836.

Mr. Hume.
Mr. Hector.
Mr. Edward Barrett Curteis.
Mr. Bell.
Mr. William Crawford.
Mr. Lambton.
Captain Beauclerk.
Mr. Ingham.
Mr. Pusey.

Jovis, 7° *die Julii,* 1836.

Mr. Hume.
Mr. Pease.
Mr. Hector.
Mr. Lambton.
Mr. Aaron Chapman.
Mr. Pusey.
Mr. Wakley.
Major Beauclerk.

Mercurii, 20° *die Julii,* 1836.

Mr. Hume.
Mr. Hector.
Mr. Pusey.
Mr. Wakley.
Mr. Aaron Chapman.
Mr. William Crawford.
Mr. Edward Barrett Curteis.
Major Beauclerk.

Jovis, 21° *die Julii,* 1836.

Mr. Hume.
Mr. Hector.
Mr. William Crawford.
Mr. Aaron Chapman.
Mr. Wakley.
Major Beauclerk.

LIST OF WITNESSES.

Martis, 14° die Junii, 1836.

Robert William Brandling, Esq. - - - - - p. 1

Mercurii, 15° die Junii, 1836.

Robert William Brandling, Esq. - - - - - p. 23
Mr. Robert Clarke - - - - - - - p. 31
Mr. John Buddle - - - - - - - p. 41

Jovis, 16° die Junii, 1836.

Mr. John Buddle - - - - - - - p. 43
Mr. James Bentley - - - - - - - p. 56

Veneris, 17° die Junii, 1836.

Mr. James Bentley - - - - - - - p. 66
Mr. Henry Morton - - - - - - - p. 76
Mr. Matthias Dunn - - - - - - - p. 86

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MINUTES OF EVIDENCE.

Martis, 14° die Junii, 1836.

MEMBERS PRESENT.

Mr. Hume.	Mr. Wason.
Mr. Pusey.	Mr. Aaron Chapman.
Mr. William Crawford.	Mr. Ingham.
Mr. Lambton.	Major Beauclerk.
Mr. Hector.	Mr. Edward Curteis.
Mr. Pease.	Mr. Humphery.

MR. HUME, IN THE CHAIR.

IT was resolved, that no gentlemen who are to be examined as witnesses shall remain in the room until they have given their evidence.

Robert William Brandling, Esq. called in; and Examined.

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1. *Chairman.*] ARE you chairman of the committee of coal-owners at Newcastle?—I am.

2. Are you also an owner of any collieries?—I am part owner in three collieries, two in the county of Durham, and one in the county of Northumberland.

3. Do the coals from them come into the Tyne?—The coals from all three come into the Tyne.

4. How long have you been acquainted with the coal trade?—I have been acquainted with the coal trade more than 30 years.

5. Were you examined by the Committee in 1830?—I was, both by the Committee of the Commons and by the Committee of the House of Lords.

6. Did you not give before that Committee an account of the state of the coal trade at that time?—I did.

7. On the 13th of July 1830, your evidence was given at length before that Committee, was it not?—I believe so.

8. At that time was there what is called the vend or regulation of coal-owners existing?—There was.

9. State what is the nature of that agreement between the coal-owners, and when it was began?—I cannot exactly state the precise period when it began, but it has been in existence at intervals ever since I can recollect, and before that time; the nature of it has been the same whenever it has been revived, the object being to apportion the vend to the different collieries, according to the quality of the coal and the powers of raising that coal.

10. Do you mean by that to affix what quantity should be supplied by each colliery?—Yes, with relation to their competitors, without any reference whatever to the total quantity to be supplied to the market.

11. Have you any statement of the quantities fixed on by that vend for each colliery to supply?—There is no quantity fixed for each colliery, except once a fortnight; the basis is merely an imaginary quantity; it is a quantity assumed, and may be 800,000 chaldrons, or 1,000,000 chaldrons; the basis is taken merely to apportion the relative quantities as between the collieries; the coal-owners meet once a fortnight, or 26 times a year, and according to the price in the London market (by which we judge either of the deficiency or excess of the supply), the quantity issued, which is to be divided amongst the collieries, is determined.

12. What do you mean by "the excess of supply in the London market," and how do you ascertain that?—The way in which that is ascertained is this: we get the

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the price from London, we know the price the collieries have fixed as their selling price at the places of shipment; we know also what is the average freights from the shipping ports to London; we add these two together, and we consider that as the fair average price which the coal ought to bring in London. If we see by the markets in London that the price in the Pool has exceeded the price we consider to be the fair average price, which is a price something below what the coals from other districts can be supplied at, we issue a large supply; if it is below that, we consider the supply is more than the demand requires, and we diminish it; at the end of each fortnight we meet and examine these lists, and according to them we apportion the quantity to be supplied by each colliery.

13. Then are the Committee to understand that it is not the quantity which regulates your arrangement in the north, but the price which the article brings in London which induces you to increase or decrease the supply?—The price in London is the only guide as to the quantity issued by us.

14. On what principle do you fix that price in the north which you consider the remunerating price?—We call on the proprietors of the best coal (which at present are exported from the Wear), before this agreement is entered into, to state the price at which they intend to sell their coals; it is necessary for us to do that, in order to enable the rest of the coal-proprietors to state the relative price that they will sell their coals at.

15. Having once obtained from the owners of the best coals the price they are willing to sell at, in what way do you regulate the price of the inferior quality of coals?—We do not regulate the price, we leave it to the proprietors themselves to do that; they look at the price of the best coals, and they must regulate their price according to the price of the best coals. For instance, suppose that the Stewart's Wallsend were sold at 28*s.*, then we should say to a colliery on the Tyne, "Stewart's Wallsend being sold at 28*s.*, what do you intend to sell your coals at?" Perhaps a Tyne colliery, producing coals of the best description, although not fetching so large a price in London, would say 26*s.*; we then take that as their price.

16. State as to each of the collieries producing inferior coal, how their quantities are in the general vend regulated?—They first of all give in a statement of what they consider themselves entitled to; they state their price, and then what quantity they think it would be necessary for them to have in order to insure a reasonable profit. The Committee will understand the profit of collieries depends materially on the quantity, because there are certain fixed expenses which the collieries cannot get quit of, namely, the agency, and engines, and other contingent expenses.

17. Do all your answers refer to the Newcastle chaldron?—In answering these questions I have referred to the Newcastle chaldron, which is 53 cwt. Every colliery is anxious to get as much as they can, in consequence of their profit depending so much on quantity; and the difficulty the committee experience is in satisfying the parties that they have got their fair relative proportion in the general arrangement. We endeavour to accomplish that by a general clause in the agreement, referring every difference that may happen to arise between parties to the reference of two indifferent persons, and if they differ, to appoint a third. Our great object is to enable them to make what we consider a fair profit, and to allow a fair proportion to their neighbours, but certainly to give to all some profit.

18. Mr. *Lambton.*] Is it not optional to join or to leave these regulations?—Certainly.

19. *Chairman.*] In that price which they give in as a remunerating price, do your committee consider the items of which that price is composed?—The coal-trade committee are unable to do that; if there is any dispute, the referees enter into an examination of the affairs of that colliery as minutely as they can; the committee cannot call on the parties to submit their books, or to enter into a very minute investigation; but we are acquainted, from our experience in the trade, and from having different viewers of collieries on the committee, in a general way, what the expense would be; we know what the general expenses of all collieries are with respect to the hewing of the coal and the putting of the coals; that is, conveying it from the face of the working to the shaft; and there is not, perhaps, any very material difference in any colliery with respect to that.

20. Are not the expenses of bringing coals to the surface very different in different collieries?—Very different.

21. In

21. In the price which each colliery demands have your committee any reference to the cost of production, in the allotting to them the particular portion of the vend?—None; that is a matter for their own consideration.

22. If a chaldron of coals cost in one colliery 1*s.* in bringing up to the surface, and another 6*s.*, have you any relation to that difference of amount of cost of the production in allotting to them their share of the vend?—None whatever.

23. On what principle is that price determined by which the committee regulate the proportion of the vend?—I have stated before that the best collieries are called on to fix their price, which they do; the proprietors of the other collieries that have coals of a different description, inferior to the best, are called on to state what their price will be, assuming the best coals to be 28*s.*; the whole list of collieries is gone through, producing the different variety of coals; and, considering the best coals to be sold at 28*s.*, they are asked at "what price they intend to sell their coals at."

24. Mr. *Humphery.*] Is that at the pit's mouth?—Free on board ship.

25. *Chairman.*] Do the committee take into account the items composing those prices given in by each colliery?—Certainly not.

26. Then they take whatever price the proprietors of the collieries say they expect for their coals?—No; after a colliery has stated what price they intend to take, the committee then look to the price that that coal has brought in the London market, or in other markets; and if that coal has brought more in proportion than this 28*s.* coal, they say that the owner ought to charge his coal at a fair relative price with the best colliery.

27. Explain how the quantities are allotted relative to the prices the proprietors have agreed for?—Before the agreement is signed, the colliery producing the best coal, or the highest-priced coal, is called on to state the price at which they intend to sell; as soon as they have done that, a colliery of the next best description is called on to state the price at which they intend to sell, with reference to the leading coal at the best colliery, they knowing the price at the best colliery; if the price that they have fixed is lower according to the sales of the preceding year in proportion to the best coals, than it ought to be in those places where they come in competition, the committee would then call on that colliery to fix their coal at the fair price, that is, at the fair proportionate price.

28. In proportion to that which the year's previous average enables you to judge of?—Certainly; the colliery so applied to may object, and say, "I will not sign the agreement unless I am allowed to sell at such a price;" the committee would then say, "Until you are induced, from a proper view of your own interests, to sign that agreement, no agreement can take place; therefore, if you think this voluntary agreement will be beneficial to you, you must submit to have your price adjusted by indifferent parties, with reference to the best coal."

29. Mr. *Humphery.*] If he did not accede to this, you would not allow him to sign?—None of the parties would be bound if a single colliery dissents.

30. Are we to understand that all parties in the Tyne and Wear must concur, before the agreement can be signed?—Yes; and before it is binding on any one, even if they had signed it.

31. Will you explain further how the quantities are regulated?—Having obtained the relative price, and presuming they are all fixed either by agreement with the committee and the parties themselves, or by arbitration, we then proceed to examine the viewers as to the general powers of the collieries to raise the particular descriptions of coal; some of the leading collieries on the Wear will be, perhaps, able, from their machinery, to raise four times the quantity of one of the leading collieries on the Tyne. We ascertain the proportionate power of raising coals of the same quality, and of different qualities from the different pits. As soon as we are in possession of the price, and the relative powers of the collieries, we then proceed to proportion the quantities; we will assume 800,000 chaldron, or any imaginary quantity, to be the basis; and according to the price and powers which has been proved before us of the different collieries, we apportion that basis to the different collieries to regulate, the proportion that they have to sell every fortnight.

32. So that the total vend by all the collieries shall not exceed a given amount which your committee fix?—Shall not exceed it during each fortnight; but during the course of the year, the committee may double or treble or quadruple the assumed

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assumed quantity for the basis, that has nothing to do with the total quantity; the quantity that is fixed by the committee is the quantity to be sold each fortnight.

33. Mr. *Pusey.*] Be so good as to state a hypothetical case, as to the exact mode in which you proceed, having got at the relative prices and relative powers of the collieries?—We take a basis, say 1,000,000 chaldrons as the basis, or assumed quantity the markets will take off; then we say, supposing the markets to require 1,000,000, what proportion of that 1,000,000 should be given to the different collieries; if the prices are the same in one colliery as another, but the powers double, if to that colliery we give 100,000 chaldron, we should probably give to the other 50,000.

34. *Chairman.*] Do you mean a per-centage of the amount each is capable of raising?—If the power of raising in one colliery is double that of another, and the quality of coals they raise is the same (which we should judge of by the price), we should give the one colliery double the quantity of the other.

35. What do you mean by the price in your last answer?—We should take into consideration both the price that it was sold to the ship-owner for, and the price that it appeared to bear in the different markets.

36. Mr. *Pusey.*] If the power of raising in two collieries be the same, and the price differs, in what proportion do you then allot to them?—We must exercise our discretion, we have no fixed rule in that case; we must do justice between the parties; the price is not a direct guide like the powers of the collieries; but we must get the best information we can as to the price.

37. You assume a certain proportion of prices; you put one colliery at 28*s.*, another at 25*s.*; then supposing the productive power of the two collieries to be the same, and you have ascertained the price to be in that relative proportion, inform the Committee how you apportion the shares of the two collieries?—The collieries fix the price themselves; after the price has been fixed, we look at the price those two coals bear at the different markets. If one coal is bringing 21*s.* a ton in the London market, and another 18*s.*, we exercise our own discretion; and as these prices are the best criterion we have for judging of the value of these coals, we use them in fixing the proportion to be allowed. After we have so done, it is for the parties themselves to say whether they are satisfied or not.

38. When you are satisfied that the prices of the two collieries are in the proportion of 28*s.* and 25*s.*, and the productive powers are the same, on what principle do you then divide the share of the vend between the two collieries?—According to the value of the coals; we give the colliery that has the best coal a larger quantity than a colliery that has an inferior article, and sold at inferior prices.

39. In proportion to the price?—No, not in exact proportion.

40. In what proportion?—In proportion according to what we think is fair, taking the price as an index of the demand.

41. Does not the fairness depend on some rules, and what are those rules?—We have no fixed rule, inasmuch as the whole is a matter of negociation between us and the coal-proprietor; and if he is not satisfied with the quantity that we give to him, he has the power of going to reference even after he has signed the agreement.

42. If one colliery produces a quantity, which we will call 1,000, and the price is 28*s.*, and another colliery produces also 1,000, and the price is 25*s.*, what relative shares of the vend do you give to them?—That would depend on the committee; if the two collieries had the same powers of production, if they can each produce 1,000 chaldrons, and if the coals of one of those collieries sold at 21*s.*, and the other we could trace to be sold at 18*s.*, we should say, the value of coal produced by the first colliery was greater than the value of the coal at the second, therefore a more marketable article, and the committee, would among themselves discuss and decide by the majority the quantity that should be given to those two collieries.

43. Do you mean to state the committee would only decide by the majority of votes, without reference to any principle which you can declare to this Committee?—We cannot have any fixed principle as to value; but we can have fixed prices as to the production of quantity. The public are the judges as to value; we say it appears to us by one coal fetching a higher price than another, that the public attach a greater value to it, and that there is a greater demand for that, and we exercise our own individual judgment upon it.

44. Mr. *Humphery.*] Supposing two collieries each had the power of raising

100,000 chaldrons, one sells for 28*s.* and the other 26*s.*; when they arrive in London, what proportion would you give to each of those?—We should not make a rule-of-three sum for it.

45. Would they not be equal?—No; because one coal producing 28*s.* and the other 26*s.*, is a proof that the one coal is more in demand than the other.

46. How do you proceed as to that?—We should say, if this coal is so much more in demand, what is the collective opinion of the committee as to the fair proportion between those two collieries; what shall we give to these two collieries out of the vend?

47. *Chairman.*] We want to know what are the rules which guide that proportion?—I can give no other account of it than what I have given.

48. Mr. *Lambton.*] Suppose two collieries, exactly in the same situation as has been described by the Committee, not in the regulation, how would they apportion their vend?—They would merely trust to the demand in the market.

49. Mr. *Ingham.*] You say, when the basis is fixed, the committee meet together to proportion the amount at which the demand should be supplied by the several collieries?—Yes, once a fortnight.

50. When the price is equal, and the power of production different, then they assign a quantity in the ratio of the power of the production?— Yes.

51. Then, suppose the power of production is equal, and the prices vary, I understand you to say, that you do not take the price as the absolute criterion, but you fix the quantity in an approximate ratio; if the price is 28*s.* to 26*s.*, you do not say the quantity sent shall be as 28*s.* to 26*s.*; but the higher-priced colliery, as being most in demand, shall have a greater proportion assigned than the lower?—No doubt.

52. Approaching that ratio of price, although not coinciding with it?—Certainly.

53. Mr. *Wason.*] You cannot give any specific rule?—No.

54. Mr. *Humphery.*] The best coal gets the greatest quantity?—Yes.

55. *Chairman.*] Supposing the quantities fixed this fortnight, can any of the collieries sell more, if they had a demand, than the amount allotted to them by the committee?—If they keep faith with the committee, according to the agreement they sign, they will sell no more. Sometimes they do; but if they exceed in one fortnight, they are expected to let their neighbours have the same opportunity the next.

56. Mr. *Humphery.*] How can you find that out; supposing a man were allowed to sell 100,000 in the fortnight, and he were to sell 20,000 chaldrons beyond his right, how would you discover that?—He must clear at the custom-house, and we have returns from the places where the coals are sold, and they make a regular return of the quantity sold.

57. *Chairman.*] When did the last regulation begin on which the present vend rests?—I cannot say, exactly; the present regulations have been going on for two years; there has been no alteration made for two years.

58. Did you not in 1833, after the trade was open, again form the association?—We did in 1833.

59. Can you give the Committee a copy of the basis of the regulations?—Of the basis proportioned to each colliery?

60. Yes?—Certainly.

61. Were you not chairman of the meeting in 1833, when the agreement was formed?—I was.

62. Mr. *Pease.*] In estimating the powers of collieries, what elements do you include?—We include, in the first instance, the extent of the royalty, the number of pits, depth of the pits, the width of the shafts, the distance of the coal from the bottom of the shaft, the inclination of the seam, whether the coal is working in the whole mine or the broken part of the mine, whether the coal can be wrought with or without the Davy-lamp, the distance that the coal has to be laid from the pits to the place of shipment; the depth of the water at the place of shipment which includes the facilities of shipment; all these particulars are elements; but we do not enter into the minute details as to wages paid to the agents, and so on; but if there is any dispute as between two collieries on this point we then direct two viewers to go and examine the two different collieries to see that the representations of the parties are perfectly correct.

63. Mr. *Pusey.*] So that, notwithstanding the complicated particulars which enter into the calculation of the productive powers of a mine, you, as a practical man,

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man, have no difficulty in arriving at a rough calculation which satisfies you, as one of the elements for apportioning the vend?—None at all; if there is any dispute between the parties when we give out the quantity, as I have known to be the case, it is referred to arbitration. And I happen to have been selected as one of the arbitrators by three of the most important collieries on the Wear, in a dispute between Lord Durham, Lord Londonderry, and the Hetton Company. The coal was of the same quality, and because the parties were not satisfied with the view the committee took of it, they selected myself and two other gentlemen, to decide as to their relative powers, and to say whether their powers were so nearly the same that they ought to be given the same quantity. We entered into a minute examination of the powers of those three collieries; there was no dispute about the quality of their coal. We satisfied them that the powers of these collieries were so nearly the same that in fairness one ought not to have more of proportionate vend than the other.

64. Although you can state to the Committee that the powers of the collieries affect their share of the vend in the direct ratio, you could not state to the Committee at all in what way the difference of value affects the share?—It is impossible to do it with so many points to consider, or so many items. If the trade were to require it, and were not satisfied, I could do it in any particular instance; because I could go into a minute examination. The referees would examine each individual colliery, and compare every item which composed their powers; they would compare the different items I have mentioned before, as constituting the powers of the colliery.

65. The witness is answering as to power when he is asked as to value?—I am speaking merely of the powers, taken as a criterion of estimating the relative proportion of vend as between two collieries.

66. *Chairman.*] You stated you were chairman of a meeting of coal-owners in July 1833?—Yes.

67. Were not resolutions come to at that meeting?—If there was a meeting I have no doubt there were resolutions.

68. Have you any doubt about being chairman in July 1833?—I cannot speak as to the time, or what the resolutions were.

69. Look at that paper, and say if you believe those are the resolutions that were come to [*handing a paper*]?—I will read them.

Coal Trade Office, Newcastle-upon-Tyne, 13th July 1833.

General Meeting of the Coal-owners, held this day, Robert William Brandling, Esquire, in the Chair.

1st. Resolved, That this meeting entirely concurs in the opinion expressed by the meeting, held at Chester-le-street, on the 26th June last, that the prosperity of the coal trade, and consequently of this district, can only be permanently secured by some equitable arrangement amongst the parties concerned, whereby the supply should be proportioned to the demand at a fair and remunerating price; and also in the recommendation, that a general regulation of the coal trade should be entered into, and in the principles to be adopted in apportioning the quantities to the respective collieries; viz. 1st. Powers of working and leading. 2d. Proportion of the different sorts of coal and their respective selling prices. 3d. Facilities of shipment.

2d. Resolved, That an unrestricted, full and impartial reference of all matters in dispute, is the only general principle upon which an equitable and permanent regulation can be carried into effect.

3d. Resolved, That the following rules and regulations would accomplish the object in view, provided they are signed by all the colliers shipping coals from the Tyne, Wear, Tees, and the ports of Seaham, Hartley and Blyth.

RULES.

1st. A representative to be nominated by the proprietors of each colliery, with full power to act for that colliery, until the 31st day of December 1834.

2d. The owners of each colliery to be allowed to change their representative, upon giving notice in writing of their intention to do so.

3d. That district committees be chosen by the representatives within their respective districts.

4th. The united committee to be composed of the local or district committees.

5th. The united committee to settle the quantity to be vended by the separate districts, having regard to powers of working and leading, proportion of the different sorts of coal, their respective selling prices and facilities of shipment. If any dispute should arise between the committees respecting the quantity to be allotted to a district, two referees to be appointed, one by the dissatisfied district, and the other by the united committee,

and

and an umpire by such referees before they proceed to business, the decision of such umpire to be final.

6th. The district committees to settle the quantities to be vended by collieries in their respective districts, having like regard to quality, power of working, and vending, and if any party or parties should be dissatisfied, referees and an umpire to be appointed, as provided for in rule the 5th.

7th. The united committee to fix the monthly quantities to be vended by each district.

8th. The district committees to fix the monthly quantities to be vended by each colliery within that district; no colliery to exceed the quantity so given out, without the express leave obtained from the committee in writing; if any colliery, upon application, shall think itself aggrieved by the refusal of such leave, the question to be decided by referees, and an umpire to be appointed as directed in rule 5th.

9th. Any colliery where particular difficulties of shipment may be reasonably apprehended at particular seasons of the year, to be allowed such quantity from time to time in anticipation thereof, as the committee shall deem proper.

10th. That giving over-measure or over-weight, or any other mode of evading or departing from the spirit of these rules, shall be punishable by fines, which shall be fixed by the general committee, and paid monthly.

11th. That each party shall deposit in the hands of the chairman, a promissory note payable on demand, to the amount of 20*l.* per 1,000 on the basis, as a security for the payment of such fines.

12th. This agreement to continue until the 31st day of December 1834.

I am convinced that is a correct copy of the resolution of the meeting of which I was chairman.

70. Were the resolutions at this meeting the basis on which the present vend is established?—They were the basis of the agreement which was prepared and executed by the parties.

71. Was there an agreement entered into by each of the coal-owners according to those resolutions?—There was a printed agreement.

72. Look and see if that is the nature of the agreement entered into?—I have no doubt this is a correct copy of it.

[*It was handed in, and was as follows:*]

Articles of agreement made this day of 1835, between the several persons whose names are subscribed, being owners or lessees of certain collieries within the counties of Northumberland and Durham.

1st. The owners or lessees of each of the undermentioned collieries, will by a written document appoint a representative, with full powers to act for such colliery, and to bind the owner or owners during the continuance of this agreement.

2d. That the representative shall have such an acquaintance with the general management of the concerns, and the money transactions of the colliery he represents, as to be able at all times to state correctly the quantity of coals sold, and the price actually received for the chaldron or ton, of both round coals and small, and shall be responsible for any irregular allowance or other deduction from the price at which his coals ought to be sold, or for any other violation of either the letter or spirit of this agreement.

3d. That the owners or lessees shall have the power of changing their representative, upon giving notice in writing to the chairman.

4th. That a committee for the Tyne, consisting of nine members (selected from the representatives), shall be appointed by lists to be sent from each colliery, to act for one year, subject to re-election at the expiration of every 12 months; but though it is desirable that the committee should consist of the number above stated, for the purpose of settling the basis for the respective ports and collieries, the committee shall nevertheless be competent to form among themselves a sub or execute one for the purpose of carrying the provisions of this agreement into effect, so that such committee shall not consist of less than three for the Tyne.

5th. That five constitute a quorum, that the votes be taken by ballot, and that the decision of the majority shall bind the parties to this agreement in all cases, except where an appeal is allowed.

6th. That the parties to this agreement will adopt the existing basis for the collieries, whose quantities are now fixed, till such quantity shall have been objected to by the committee or the representatives, and finally settled by the referees, and in settling the quantity to be allowed to any colliery, the committee or referees to be guided by the powers of working and leading proportion of the different sorts of coal, their respective selling prices and facilities of shipment. But that in estimating the powers of the respective collieries for the purpose of fixing the basis, such portions of their respective powers as are applied to the producing of coals sold, foreign or land-sale, shall not be taken into the account.

7th. That impartial reference shall continue to be the great leading principle on which the arrangements of the trade must be governed, and that it must be applied to settle the quantities between the different ports or rivers, forming parties to this agreement, as well as between individual collieries.

8th. That before an appeal be entertained from a river or district, a majority of the representatives

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representatives of the collieries of such rivers or district must have declared their conviction of the propriety of it, and have made such request in writing to the united committee.

9th. That the disatisfied river or district shall name their referee, and that the united committee shall do the same, and that those two gentlemen shall name a third as umpire, previous to their entering upon the inquiry.

10th. That the whole expense shall be equally divided between the appealing part and the trade at large.

11th. That the referees shall have power to reduce or to augment the quantity of such appealing river or district, and such decision shall be final.

12th. That the above principles which are to guide the reference in the case of rivers or districts, shall be applied to individual collieries appealing from the decision of the respective committees in the district to which they belong, except that it shall not be necessary for any individual colliery to obtain leave of the committee of the river to which it belongs, to make an appeal from their decision.

13th. That as soon as this agreement shall be signed, the rivers and districts shall be at liberty to appeal to the present united committee, but in case no appeal is made previous to the commencement of 1836, that then no change of basis as between the rivers or districts shall take place, except at the commencement of each year, and then only in case the river or district shall have given four months' notice to the then existing united committee of their intention to make such appeal.

14th. That in the case of individual collieries, they shall be at liberty to appeal also as soon as the agreement shall have been signed; but in case no appeal is made previous to the commencement of 1836, then no change of basis shall be made except at the termination of any six months, and then only on the representative of such colliery giving three months' notice previous to the 1st day of January and the 1st day of July in any year to the respective committees of his intention to make such appeal.

15th. That the decision of the referees shall take effect in the case of rivers or districts from the commencement of the year, in the case of individual collieries from the commencement of the six months succeeding the period when he shall have given such notice.

16th. That the committee or referees shall have power to summon the parties to this agreement, or their agents, to answer any interrogatories, and to produce any documents necessary to enable them to give full effect to this agreement, but such power not to justify calling for the private accounts of the colliery.

17th. That the parties so summoned shall, for non-attendance or refusal to answer or produce such documents, forfeit 20*l.*, to be returned only in cases where an appeal to a general meeting of representatives the majority shall decide in favour of the party appealing, the committee at such meeting not to vote upon the appeal against their decision; the votes at such meeting to be taken by ballot.

18th. That the relative prices of every description of coal be fixed by the committee and the representatives of each colliery, subject to an appeal to referees.

19th. That no colliery, without leave of the committee, shall vary the fixed price agreed on between such colliery and the committee, as the selling price of that colliery, under a penalty of 5*s.* for every chaldron so sold, subject to an appeal to referees in case of dispute.

20th. The committee in concert with the committee of the Wear and Tees, and the other parties to this agreement, shall make such issues of round coal from time to time, as may be necessary to meet the demand.

21st. Any colliery where particular difficulties of shipment may be reasonably apprehended at particular seasons of the year, or other causes, may be allowed such quantity, from time to time, in anticipation thereof, as the committee shall deem proper; any colliery thinking itself aggrieved by the refusal of such leave, the claim to be decided by reference.

22d. All coal to be sold by weight, either by the ton of 20 cwt. or the chaldron of 53 cwt.; any colliery found by the inspector giving over-weight to be fined 2*s.* 6*d.* for each and every cwt. of excess on an average of 10 waggons; every colliery to have a weighing machine, in proper order, in a convenient situation, under a penalty of 20*l.*

23d. Any colliery exceeding the issue beyond 100 chaldrons, or 2 per cent. upon the basis, to finish a ship, shall forfeit for every chaldron so exceeding 5*s.*, and such excess shall also be deducted from the issue to the colliery for the next month.

24th. That each party shall deposit, in the hands of trustees, a promissory note, payable on demand, to the amount of 20*l.* per 1,000 on its respective basis, as a security for the payment of fines and the general performance of this agreement, the committee to fix the amount of fines in every case not specially provided for; the trustees to consist of the chairman and the committee.

25th. That the inspectors of the Tyne, Wear and Tees, shall, as often as the committee of either river may deem it expedient, examine together the measure of all the collieries of the different ports comprehended under this agreement, that the weight per chaldron may be kept moderate and uniform, as provided in rule 22d.

26th. No freighting or upholding freights or prices to be permitted with permission from the committee of the river or district in which the respective collieries are situated under a penalty of 5*s.* per chaldron on the quantity of coals so vended, subject to reference.

27th. That all the parties to this agreement shall strictly adhere to such regulations as to the sale of coals in London by the coal-factors as the united committees shall, from time to time, agree upon.

28th. That

28th. That if, at any time, during the continuance of this agreement, the united committees shall deem it expedient, for any temporary purpose, to grant an additional issue of coals to the markets upon the coast, they shall have power to do so under such modifications and upon such terms as they may consider expedient.

29th. That it be imperative on the committee to enforce the penalties incurred under this agreement, and collect the same once a month, and pay the same to the Newcastle secretary for the general purposes of the trade.

30th. This agreement to commence on the 30th day of January 1836, and to continue from year to year, during the pleasure of the parties hereto, any of whom may withdraw, on giving six months' notice, in writing, to the united committee previous to the end of any year after the first year, and thus terminate this agreement.

31st. If circumstances should arise to render it expedient that this agreement should terminate otherwise than before provided for, and that, at a meeting of the representatives of the three rivers, and the other parties to this agreement, called for that purpose, four-fifths of the parties hereto shall so think it expedient, then this agreement shall terminate.

32d. No party to be bound by signing these rules until they shall have been agreed to and signed by the proprietors of every colliery upon the Tyne, and until the coal-owners of the Wear, Seaham, Tees, Hartley, Cowpen and Netherton, shall have signified their willingness to act in concert with the Tyne committee upon the general principles of this agreement.

33d. That in case any difference of opinion should arise between the respective committees, or any individual coalowner and the committee of the district to which he belongs, upon the construction of any of the above articles, or upon any other point not herein provided for, that the same shall be submitted to reference.

73. Have the deposits alluded to in the original resolution been made?—They were made in the first year.

74. And do they remain with the chairman?—No, they were tied up together, and deposited in Sir Matthew Ridley's bank; the deposits were entered into; they were handed over to the committee, and they are in existence yet; but they have never been put in force.

75. They are supposed to remain in force if necessary?—No, not now, the year having expired. They were in force for that twelvemonth.

76. During this twelvemonth could any of those proprietors, who had entered into that bond or agreement, sell a greater quantity of coals than that which was allotted to them by the vend agreeable to these resolutions?—Certainly not, during the course of that fortnight; if they exceeded their issue, and could not give a satisfactory reason why they had done so, they were liable to the penalty they had voluntarily subjected themselves to.

77. In point of fact, did any of them, to the knowledge of the committee, exceed the vend?—I believe they did, and perhaps not an individual that did not; but they would satisfy the committee there was a reasonable cause for doing so, and not with a wilful intention to defraud their neighbours.

78. Are the Committee to understand any variations from the agreement by any of the coal-proprietors came under the consideration of the committee?—No doubt; the parties would be summoned before the committee to account for their having done so, and to state the reasons why they considered they were not subject to the penalty which they had subjected themselves to.

79. At the end of the year when this expired what took place; were they renewed, or allowed to continue in force?—They ceased to exist; and there was a consideration whether they should be renewed or not; and I believe it has never been considered that the parties should be called on to renew the same sort of security the last 12 months.

80. Do the rules here agreed to regulate the vend?—All the other rules, except that as to the fines; there may be some trifling alterations, but it is only in matters of form, but not in substance.

81. Are the Committee to understand at this moment there is a representative nominated by the proprietors of each colliery with power to act for that colliery?—Yes.

82. And is the owner of each colliery allowed to change their representative on giving notice of their intention to do so?—Yes.

83. Is the united committee composed of local or district committees?—The "local or district committees" was a name adopted at my suggestion, it having been formerly considered as the district of the Tyne and the Wear. It was originally considered as a regulation between the Tyne and the Wear; but when the port of Seaham was opened, and the Tees, and other ports, the term "districts" was considered as more comprehensive.

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84. Are the Committee also to understand the united committee settle the quantity to be vended by separate districts, regard being had to the powers of working of the leading proportions of the different kinds of coals?—Yes, that was always the case. In the regulation formerly, the chief trade of the district being from the Tyne and Wear, it was divided into fifths, and the trade of the Tyne had two-fifths, and the Wear two-fifths, of whatever the trade might be.

85. The seventh resolution is, "the united committee to fix the monthly quantities to be vended by each in each district;" you were understood to say, every fortnight that was so?—It has been altered from a month, and we meet now once a fortnight; the resolution still stands as it is; but the practice is to meet once a fortnight.

86. And by the eighth rule, "no colliery shall exceed the quantity so given out, without the express leave obtained in writing from the committee;" does that still continue in force?—Exactly; for the fortnight.

87. Now, in 1830, when you were examined, how many collieries were within the vend or agreement?—I cannot exactly say, but I have the list; that list will be produced, containing the number of collieries in existence in 1830, and those now.

88. Were they not generally those on the Wear and the Tyne?—The Tees had commenced operations in 1830.

89. Had the Tees joined at that time?—Certainly not.

90. Is the river Tees now within the regulation?—The Tees has joined the regulation.

91. Then are the collieries on the Wear and the Tyne and the Tees, joined in the regulation?—Yes, and the Hartley and Blyth.

92. It is stated, in 1830, the districts of the Tyne and the Wear alone are in the regulations, and the district of the Darlington and Tees had not then joined?—They had not then joined; but the district of the Tyne comprehended at that time Hartley and Blyth, and these were always comprehended in the Tyne district.

93. So that, in fact, the competition that existed at that time between the Tees and the Tyne and the Wear, does not now exist, as they are all included in one regulation?—They are all included in one regulation now.

94. Mr. *Wason.*] I see a clause in the agreement, "it is to commence at a certain day, and to continue from year to year during the pleasure of the parties hereto, any of whom may withdraw, on giving six months' notice, in writing, to the united committee, previous to the end of any year after the first year, and thus terminate this agreement;" have you ever had any such notice?—We have had no notice of that sort.

95. No parties have expressed in any manner a desire to withdraw from that, have they?—There have been no regular notices, and we have never had any notice that I am aware of.

96. Mr. *Humphery.*] Has any party retired without notice?—No; and it would break up the agreement immediately if they did so.

97. Mr. *Lambton.*] Has any party requested to join?—The new collieries, as they have been opened, have some of them expressed willingness to do so; and indeed I do not know any colliery that has been opened that has not suggested, as soon as they were in a working state, that they would join.

98. *Chairman.*] Did the Tees join in 1833, or since then?—I think they joined in 1833; I think there was a quantity apportioned to the Tees in 1833.

99. Now, in 1832 what was the state of the coal trade?—It was what we call a fighting trade.

100. An open trade?—Yes.

101. That is to say a competition existed between the different collieries?—Yes; there was no understanding between us at all; every man sold as many coals as he could, and promoted his own interest at the expense of his neighbours.

102. Mr. *Wason.*] You say you have had no regular notices to retire?—No.

103. Has there not been, to your knowledge, some difference between the owners of the low-priced coals and the owners of the high-priced coals?—Not any difference in opinion that I am aware of; I am aware that the collieries producing the low-priced coals have been dissatisfied with their quantities, and that they consider there was too little given them. I know no difference of opinion immediately between the low-priced collieries and the high-priced collieries.

104. Did not the low-priced collieries at one time insist on the higher-priced collieries raising their price 2 *s.* per chaldron?—No.

105. Are

105. Are you not aware of anything of the kind?—I am not. I have known frequently representations in the committee, and the question frequently discussed, whether the best coals were not at too low a price. It is the interest of the low-priced collieries to get the high-priced collieries to raise the price of their coals, because it would enable them to do the same.

106. You do not know an instance in which it was done, and that the high-priced coals were really raised 2 *s.* a chaldron?—I do not.

107. Mr. *Pease.*] Is it possible for either the owners of the higher-priced coals, or for the owners of the lower-priced coals, to obtain such an alteration by any such representation, the agreement having once been signed?—I should say not during the course of that twelvemonth.

108. Mr. *Lambton.*] You are asked about 1832, when there was an open fighting trade; state to the Committee what the effects on the coal trade, as to their profits and their capital, were?—The general effect was a reduction of the price; great variation of price, both at the place of shipment and consumption; and of course, from the glut of the market, a great reduction in the price, which is the natural consequence of competition.

109. *Chairman.*] Can you state the amount of the reduction?—No; it was very great, and reduced the coals to a price below what many of the collieries could afford to work their coals at. The unnatural competition produced this effect: it produced a ruinous depreciation, and many of the collieries must have been laid in had that depreciation continued.

110. Mr. *Wason.*] If they had been laid in, what would have been the consequence, as far as the price in the market was concerned, for the future?—I myself believe that if the collieries had been laid in, the natural effect would have been that those collieries that survived the shock would have raised the price to have remunerated themselves for the loss they had sustained.

111. Mr. *Pease.*] You stated that certain collieries would have probably been to have been laid in; did your remarks apply to collieries yielding any particular class of coals?—No, they did not; I believe some collieries that were producing the best quality of coals were greater losers than collieries that were producing coals of an inferior quality, and that collieries producing coals of an inferior quality could have stood the shock much longer than many of the collieries producing the best coal

112. Is the Committee to understand it comes within your knowledge that certain collieries might have survived this struggle, and continued to sell considerable quantities of inferior coal, while the collieries producing a better class of coals were extinguished?—I can speak with the greatest precision to that point, because I happen to be the owner of collieries that produce both sorts; I am part proprietor of the Coxlodge colliery, which produces the best sort; and I am the principal proprietor of two collieries on the river Tyne, one at South Shields and the other called Haworth, a colliery producing coals both of an inferior quality and of a good quality, the Hilda Wallsend and Haworth. I have no hesitation in saying during the existence of that struggle that if it had continued, the Coxlodge colliery would have been forced to be laid in before the other two.

113. Why?—Because Coxlodge colliery was working at so much greater an expense than the others, that while that colliery was making nothing we were making a profit from the other two, though not an enormous profit, yet a profit that would have justified our carrying them on.

114. *Chairman.*] Then we are to understand had that competition continued, the collieries which are worked at a very great expense must have been given up?—Yes; and some of them not to have been re-opened.

115. Mr. *Lambton.*] Those producing the best quality of coal?—Yes.

116. *Chairman.*] Do you apply that to the collieries producing the finer coals generally, or only to those particular collieries you mentioned?—I only mention those collieries (it applies to others of the same description), as being personally acquainted with them, and as I can speak to the fact.

117. Would your observation apply generally to these collieries, according to the increased cost of production?—I believe the same observation I have made with respect to these collieries would apply to a variety of collieries within the counties of Northumberland and Durham.

118. Are we to understand, then, the agreement, entered into in 1833, was with a view of raising the price and protecting the coal-owners against the loss which competition produced?—Decidedly.

 119. You

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119. You are understood to state, although it was a loss to the owner it was a profit to the consumer to get his coal cheaper for that time?—No doubt.

120. Mr. *Lambton.*] Supposing that open fighting trade had continued, what would have been the result on the experience you had?—I believe that it would not have been permanent; I believe the reaction, as the collieries had ceased to exist, would have been very considerable, and the public would have been the sufferers.

121. *Chairman.*] Do you not consider the present agreement to be a monopoly?—I do not consider the present agreement can by any possibility be called a monopoly; I understand a monopoly to mean where the sale of the article is in your own hand. If we were in possession of the whole of the market, and if we had no competitor, either in Scotland, Yorkshire, or from inland coals, or in Wales, we might become monopolists; but it appears to be a contradiction in terms, to say that a monopoly exists where there are two persons who have the same article which they bring to the same market, and between whom there is no understanding. In my opinion, it is totally impossible a monopoly should exist under such circumstances.

122. Mr. *Crawford.*] Does not the agreement which you have entered into keep up the price of the coals to the consumer in London, to that point which will just meet the competition from Scotland, and the other places?—Exactly so; that is the point we aim at, and that is the point we consider ourselves justified in aiming at.

123. *Chairman.*] In 1828, do you recollect the prices which were fixed then on the vend by the agreement then existing?—I think I do.

124. Will you state to the Committee what was the effect of that vend, and what was the price fixed relative to the present prices, and what was the effect of competition on the Scotch coal?—The effect was, the prices we fixed in 1828 were so high, that it immediately created the competition; that is, that it immediately showed that there could be no monopoly; it created a competition from York, Scotland, and the midland counties, and the result was, that we were obliged to lower the price of our coals in consequence of the competition which was created, which exists at this moment, which is constantly increasing, and which will increase without the assistance of the Legislature, and without any enactment whatever.

125. At that time had you not the competition of Stockton then against you?—We had the competition in 1828 of Stockton; but Stockton had not then acquired that importance which it subsequently has done. I took myself a very erroneous view of the powers of the collieries on that river; I did not calculate that the collieries in that district would be such powerful rivals as they really have turned out to be.

126. Has the quantity of coal now supplied from Stockton doubled within these few years?—I should think more than doubled.

127. Can you state how much lower the prices now fixed are than those in 1828, which brought in the Scotch coal upon you?—I cannot exactly state the prices, but there will be returned to the Committee both the prices in 1828, and the prices subsequent to that. That will appear in one of the returns we shall make to the Committee, showing the exact difference; and it will appear what the prices were that caused this influx of coals from our competitors.

128. Although the effect of this agreement is to keep up the price to that amount which excludes others, you do not consider it to be a monopoly?—Certainly not; I consider it to be a combination, but I consider it to be a combination that we are perfectly justified in entering into. I admit it to be a combination; but it is a combination of the proprietors to keep up the price of their article, in the same way as a combination among workmen keeps up the price of their property, which is their labour; and I consider that the proprietors are justified just as much in the one case, as the labourers are in the other.

129. Mr. *Lambton.*] Is not the price of coal at the pit's mouth in Scotland, and near Birmingham, higher than the price of coal at the pit's mouth of the collieries that belong to the regulation?—I believe it is, from what I have heard.

130. Supposing three coal-owners on the Tyne, Wear or Tees, is there anything to prevent their sending as much coal as they please to the London market, supposing they do not belong to the regulation?—Certainly not.

131. *Chairman.*] Are there any such collieries?—At this moment there are some collieries that have not yet joined the association.

132. What are they?—There is the Thornley colliery, the Haswell colliery, and the South Hetton colliery; the two I have last named producing coals of the best description,

description, and the Thornley colliery producing a coal that stands high in the market, that is not worked to any great extent at present.

133. Are they lately opened?—They have not yet got into that state when we could fairly appreciate their powers, as compared with their neighbours.

134. Mr. *Crawford.*] They are not eligible yet as members of your association?—They say "we are not in that state you can apply the principle of power and price;" they say "we do not raise a sufficiency to enable us to be compared with our neighbours." We generally leave a colliery until their colliery is opened out.

135. Mr. *Pease.*] Are you aware whether these collieries you have just named are not at this moment working and vending more coals than the whole of the collieries on the Tees together?—I believe they are vending at a rate beyond the Tees.

136. Mr. *Crawford.*] Is that because the price at which they can sell suits them to make these large supplies?—They get the highest price they can; we have not inquired into their prices or powers, as compared with any other collieries as yet; we do not conceive the collieries are opened out, so that we can fairly compare them.

137. From their increasing vend they are in a state of prosperity to the parties?—Decidedly.

138. And therefore they feel the necessity of not belonging to the regulation?—That is not the reason; what they say is this, "you must not compare us as this moment, because our workings are not in that state where we can be fairly compared; if you put it off for two or three months we shall then be in a fit state; our powers of production may then be doubled, and then we shall be in a state for you to compare us with other collieries long in existence; if you were to fix our quantity at this moment, as compared with other collieries, you would have to revise it in two months time."

139. Have those parties any desire to belong to the regulation?—I believe that they are inclined. I speak of course only from hearsay and from casual conversation with the owners of those collieries. I believe the inclination of the proprietors of two of those collieries, that is the Haswell and South Hetton, is favourable to the regulation.

140. Then it would be the policy of your society to indulge any inclination of that sort on its being sufficiently expressed to you?—No doubt, if the regulation is beneficial to us, it is our interest to encourage a good understanding.

141. Inasmuch as it extends the general power over the produce of that neighbourhood?—Of course, if the regulation does so; and any individual can put an end to it unless it is general.

142. Am I right in supposing the measure of your power of self-protection is the price at which other coals can be supplied to the London market?—Decidedly.

143. While you keep within that, you can control the price in London?—We can so far control the price in London, that we can raise our coals up to that price.

144. *Chairman.*] Your desire is to keep it up to the highest pitch you can, subject to the competition which you would otherwise let in?—No doubt.

145. Mr. *Lambton.*] With regard to those collieries which do not belong to the regulation, do they sell their coal cheaper in the London market because they do not belong to the regulation?—I believe, decidedly not; the market list will show that; I cannot conceive a proprietor of coal, or any other article, will sell it for less than the extreme price he could safely and permanently get for it.

146. Mr. *Humphery.*] How long have those mines been open; take the South Hetton?—I should think not a twelvemonth; they have not been in a working state for a twelvemonth.

147. You really believe those mines send more weight of coals to London than the whole of the Tees besides, do you?—Yes; when a colliery is opening out, there is a greater quantity of inferior coals than is worked afterwards.

148. Mr. *Ingham.*] Is not some of the Welch coal the highest price coal in the market?—The Welch coal is generally the highest price.

149. A coal obtaining the highest price is one not affected by your regulation?—Yes; but the Welch coal is only used for particular purposes.

150. Mr. *Pease.*] Did you mean to state the new collieries were all in a state of prosperity?—I meant to say I believed two of them were; I do not know much about the Thornley; the Haswell and South Hetton I believe to be in a prosperous state; with regard to the Thornley, I do not know much about it.

151. Do

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151. Do you mean to convey to the Committee the collieries of which you have been speaking were in a productive state to the owners?—I only meant that they were producing a large quantity of coal; I meant to give an opinion with respect to their productive powers.

152. Do you know whether the owners of the Haswell colliery are already in the regulation for other collieries?—Some of the proprietors are, I know.

153. Do you know whether the South Hetton colliery has not recently entered into the regulations?—I am not aware of it; I have not heard of it; I have been absent for two months, and I have not heard their quantity has been fixed.

154. Are you aware whether the proprietors of the Thornley are in the regulation for other collieries?—I do not know the names of the proprietors for Thornley, but I have heard one of the proprietors is.

155. Have you any doubt the parties connected with the new collieries are already for other collieries parties to this regulation?—I can only speak to the Haswell; I do not know the shareholders and proprietors of the Thornley.

156. Mr. *Humphery.*] You say the South Hetton is in a prosperous state, supposing they could supply any quantity they could possibly get up in London with a profit, would they enter into the vend?—Certainly not, if the other collieries would continue the regulation without their entering into it.

157. They must of necessity enter into the vend to gain a profit ultimately?—I believe so.

158. Mr. *Pease.*] Did you ever see any of the proprietors of these collieries at the meetings of the association?—Yes, of the Haswell, I have.

159. Mr. *Humphery.*] Would not a greater profit be given to the South Hetton colliery, provided they joined the vend, than if they were to remain as they are now?—I do not think it would, because the rest of the collieries are subject to a restriction, and they are not; and they can vend an unlimited quantity at a regulation price. Supposing the Hetton colliery, or any other colliery out of the vend, not to come in, and to be in a situation to produce as much as they could produce, there is no doubt it would be a great advantage to them for the other collieries to restrict themselves to benefit their neighbours, and to leave them a free trade. It is natural to suppose that I should not submit to that for any length of time.

160. Mr. *Pease.*] Do you mean to say the coal-owners are now taking the utmost price that they could obtain in the market?—I do not think that they are at the utmost. I do not think the Newcastle coal are at that price they might be raised to, and yet exclude competition.

161. Do you think they might be raised 2*s.* a chaldron?—I have given it as my opinion they might be raised 2*s.* a chaldron, and not raise competition.

162. Mr. *Pusey.*] At what price can the present supply which is received in London be sent from the Tyne, the Wear and the Tees, supposing an open trade to be established, and an ordinary rate of profit to be left to the coal-owner?—If you are to take the whole of the collieries from the district, I do not believe they could be lowered to send at an ordinary rate of profit.

163. You have stated, supposing what is called a fighting trade to be established again, that the least productive collieries must be laid in?—Yes.

164. Are you not of opinion that the more productive collieries, which would still continue to be worked, would continue to supply the London market at the lower price that would have ensued from the opening of the trade?—Decidedly I should think not; they must be perfectly blind to their own interest if they did so, and if they did not, after having got quit of their competitors, raise the price of their coal to remunerate them for their losses.

165. Supposing the Legislature is able to prevent any fresh combination arising among the coal-owners, and the trade to be a fair and open trade, without any restriction as to the vend from each colliery, then are you not of opinion the supply to the London market could be continued at a lower rate?—Certainly, the proprietors would be blind to their own interest if they did so; the only possible mode of accomplishing that would be for the Legislature to say, "you shall not raise the price of your coals beyond a particular price;" because the proprietors would immediately say, "we have lost before, and we will exercise our own discretion over our own property." That will be the case, unless the Legislature are prepared to go this length, and say, "we will not only interfere with private property, but we will fix the price at which private property shall be disposed of."

166. *Chairman.*] Could you state the difference of the expense at which the collieries are worked, taking the highest and the lowest?—I have endeavoured to

make

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make up my mind on the subject, but I am afraid I have scarce *data* sufficient to pronounce any correct opinion; but I feel little inclined to deviate from the opinion I gave in the year 1830, that it may be taken as high as 23 *s.* a chaldron on their present vends; the expenses of the colliery depends very much on the quantity they sell; at the present vends you may take it as much as 23 *s.*, and some may be raised as low as 13 *s.* or 14 *s.*; I before stated 15 *s.* or 16 *s.*; some of the very inferior collieries work exceedingly cheap, and some may be put on board at 13 *s.*

167. Have you not yourself a colliery, the most advantageously situated of, perhaps, any on the river?—I have.

168. Do you speak from that or from others?—No, that colliery does not work as cheap as a colliery that I am engaged in, that is in a more disadvantageous position.

169. Your colliery is close to the river?—It is in the town of South Shields.

170. The other worked cheaper is at a greater distance?—Considerably higher up the river, seven or eight miles from the mouth of the river.

171. Mr. *Pusey.*] Supposing the trade to remain open in consequence of some legislative provision, and the least productive collieries to be laid in and abandoned, what do you conceive would be the fall in the average price of ordinary coal in the London market?—It would depend entirely on the price at the other end, and the freights.

172. What do you suppose would be the fall?—That would rest entirely on the proprietors as it does at present. As I said before, I conceive the proprietors would be regulated in the price they would demand by what does regulate them now, that is, the check of competition.

173. Do you conceive it is impossible to establish a free trade in coals?—I conceive the trade is perfectly free, as far as that goes.

174. Do you imagine it is impossible to maintain what you call a fighting trade by any legislative enactment?—I do not think you can.

175. You think it impossible, by any legislative enactment, you can render it free for every proprietor to raise as much coals as he pleases?—I conceive if the Legislature proceeds on the principles of legislation they hitherto have proceeded on, it is impossible; that is, not to interfere unnecessarily with private property, and legislating for each class of proprietors on general laws. They certainly may do so if they chose to deviate from the ordinary principles of legislation, if they chose to give a *bonus* to one proprietor to enable him to compete with another with advantage, no doubt they may do it.

176. Mr. *Wason.*] Supposing the trade to be open on what you call the fighting trade, and 10, 12 or 14 of these collieries laid in, your opinion is that the proprietors of the remaining collieries, supposing the Legislature to prevent any regulation, would of themselves get the same price, or higher prices even than they do at present, by each individual sending a certain quantity to market and getting the price which is fixed by the Scotch and Welsh collieries?—Exactly so.

177. Mr. *Curteis.*] Would not that bring those shut up into play again?—No doubt; the trade would be liable to perpetual fluctuations.

178. *Chairman.*] Is not one effect of your regulation to give a larger profit to those collieries that are worked at a small expense?—It has the effect of giving a regulating profit to those collieries; it cannot give a larger profit, because it cannot by possibility raise the price beyond the competition prices, but it enables those collieries that are worked at a large expense (supposing the coals to be of the same quality), to exist, which they would not do otherwise.

179. It enables them to get the utmost price consistent with the competition from other coals?—No doubt.

180. Does not the difference of expense in working the different collieries give to the proprietors of the more productive collieries the larger profit?—It gives them a larger profit than they would get under the fighting trade. I do not exactly see the bearing of the question, as to the permanent profit it would give to these collieries.

181. Mr. *Pease.*] Is not the difference between the coals that are wrought at a great expense, and those that are wrought at a less expense, an enhancement of profit to the latter?—No doubt.

182. Do you know of any colliery, within the last five or ten years, that has made what you would call a great profit?—I should say decidedly not.

183. Mr. *Pusey.*] Do you exclude from the profit the rent?—I take the rent in as a component part of the expense; the drawback, in calculating the profit,

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I take in a certain per-centage for the interest of the money; I calculate on the sum that has been expended in the winning.

184. Many collieries bear a high rent?—The landlord takes very good care to apportion his rent to the profit that the lessee makes.

185. Mr. *Lambton.*] Taking all those things into consideration, do they make more than five per cent.?—I never made any accurate calculation as to that; but I do not believe that the profit of the whole trade would exceed five per cent.

186. Mr. *Humphery.*] Do you mean that as the average?—Yes; I do not mean to say there are not many collieries that make more than five per cent.

187. Mr. *Lambton.*] Do you take into the calculation the risk and accidents that belong to coal mines?—In any calculations I have made, I have not calculated on a colliery being subject to accident and incurring expenses on that account.

188. Explain to the Committee the nature of the risks and accidents belonging to mines?—I am not professionally employed; but Mr. Buddle, who is more conversant than any gentleman in the kingdom, perhaps will explain all that to the Committee.

189. Mr. *Curteis.*] What is the highest rate of interest any colliery has made?—I cannot state that, it is so various; unfortunately I am not the owner of any extremely productive colliery.

190. Mr. *Pusey.*] You know that the collieries do not make more than five per cent. profit?—On the whole.

191. Supposing the price of coals to fall, would it not be a necessary consequence, that since the profit of the coal-proprietors could not fall before the ordinary profits of trade, that the rents of the collieries must fall, and the profits of the coal-lessee would continue at the market rate?—The profits of the coal-lessee probably might; but there is nothing imperative on the lessors to make it absolutely necessary that they should reduce their rents; the lessee would profit in the same way as the farmer would profit by the reducing of his rent.

192. Must they not reduce their rent at the expiration of the lease?—Yes.

193. Mr. *Pease.*] Give the Committee an idea of the rent paid on coal in the counties of Durham per ton?—I cannot do that; I can state with respect to way-leave rents, we pay enormous in many instances, and that is the great ground of our opposition to any railway Bill.

194. The Stockton and other railroads are not subject to any way-leaves, which you on the Tyne and Wear are?—No; and which we are subject to on the Tyne and Wear. When the Stockton and Darlington railroad was first projected, to bring the road down to the Tees, we at that time presented a petition against it on the same ground that we objected to the railroads that are now in projection in the same country, and simply on that ground that it exonerated the coal-proprietors of the railroads from way-leave rents. We say relieve us from the way-leave rents, or let them pay the same way-leave rent, and our opposition ceases. We are not opposed to the coal trade being opened in any part of the kingdom; but all we say is, place us precisely in the same situation, as far as the Legislature is concerned, with our competitors, and we are satisfied if you open out the coal-fields in the whole of England.

195. Mr. *Lambton.*] If not, is it not a direct tax on you, and a bonus to them?—It is a direct bonus to our competitors, and a direct tax on us for their benefit.

196. *Chairman.*] Are we to understand, then, that the opposition which you gave to the Darlington and Stockton railroad was chiefly on that ground?—Solely; I was chairman of the meeting of which considerable use has been made when we voted funds to oppose the South Durham railroad. It was voted simply on the ground that they were asking for a bonus to supplant us in the same market, which they were not entitled to unless we got it also. All we said was, if there is a legislative interference with the coal-proprietors, let it be general to the whole class of coal-proprietors, and not confined to *A.*, *B.* and *C.*, to the prejudice of the rest of the alphabet; that was the sole and absolute ground of our opposition, and I assure the Committee it is the only ground. It has been stated it was very indiscreet in us to publish these resolutions; I can only say when I first became chairman of the coal committees, I stated to the trade that I would not continue chairman, if there was a single transaction, or a single resolution passed of any sort or kind, either relating to the opposition of the railroads, or anything else that the committee held me bound to keep from the public; and that unless our resoultions were made public, I would cease to act as chairman, and I repeat it at this moment.

197. Do

197. Do you now allude to the meeting which took place on the 2d of April, in the Coal-trade Office at Newcastle, when you were in the chair?—I do.

198. And when Mr. Pease was present?—Yes.

199. The first resolution is, "That the Bill, which has been brought into Parliament to enable certain persons to form the South Durham Railway, is not required on the ground of there being any public necessity for such a measure; that it is in direct violation of the acknowledged rights of the landed proprietors, subversive of the long-established customs of the country, and unjust as regards the lessors and lessees of existing collieries; and therefore, taking these circumstances into their serious consideration, this meeting is of opinion that the progress of the Bill ought to be carefully attended to; and, if necessary, the whole subject brought under the serious consideration of the Legislature"?—Exactly so; and if instead of "collieries," the word "way-leaves" had been put in there, it would have expressed the ground of our opposition. That was explained at that meeting, and on which we have subsequently acted, and on which we only have acted and have continued to act.

200. The Committee are to understand the opposition intended by this meeting was against the Durham railroads having the privilege of conveying coal without the way-leaves, which you in the north are subject to?—Yes.

201. Mr. *Pease.*] You consider the construction of this railroad as making a public way-leave?—We have been from time immemorial, or as long as I can remember, under the necessity of giving compensation to the landed proprietors, whose property intervenes between a colliery and the place of shipment. I pay on one colliery, for going four miles, at the rate of 1,200*l.* a year, that is 300*l.* a mile. If there was a public railroad I should escape that; I should merely pay the actual haulage, and it is only on that ground we have acted; and I say it is exceedingly hard I should be compelled to pay 300*l.* per mile to the landed proprietors, and that the coal-owners who go along this line should actually pay nothing.

202. *Chairman.*] Look at these resolutions, and see if that is a copy of the proceedings that took place at the meeting to which you have alluded?—Yes, that I believe to be a correct copy.

[*It was handed in, and was as follows*:]

Coal Trade Office, Newcastle-upon-Tyne, 2d April 1836.

General Meeting of Coal-owners of the Rivers Tyne, Wear and Tees, together with Seaham, Hartley, Cowpen and Netherton.

Present, Robert William Brandling, Esq., Chairman.

Mr. W. W. Burdon, M. P., Mr. Joseph Pease, M. P., Mr. Michael Robson, Mr. John Grace, Mr. J. C. Lamb, Mr. Nicholas Wood, Mr. Clark, Mr. M. Dunn, Mr. George Johnson, Mr. Morton, Mr. Henry Pease, Mr. W. L. Prattman, Mr. Thomas Taylor, Mr. Joseph Lamb, General Austin, Mr. James Easton, Mr. John Brandling, Mr. Henry Hunt, Mr. Buddle, Mr. W. Armstrong, Mr. John Wood, Mr. Smithson, Mr. Stobbart, Mr. A. Surtees, Mr. H. Lamb, Mr. W. Loraine, Mr. H. Taylor, Mr. T. D. Brown, Mr. John Carr, Mr. J. Losh, Mr. W. Harrison, Mr. William Bell, Mr. Flintoff, Mr. John Jopling.

Resolved, On the motion of Mr. Joseph Lamb, seconded by Mr. Thomas Taylor;—1st. That the Bill which has been brought into Parliament, to enable certain persons to form the South Durham Railway, is not required on the ground of there being any public necessity for such a measure, that it is in direct violation of the acknowledged rights of the landed proprietor, subversive of the long-established customs of the country, and unjust as regards the lessors and lessees of existing collieries; and therefore, taking these circumstances into their serious consideration, this meeting is of opinion, that the progress of the Bill ought to be carefully attended to; and, if necessary, the whole subject brought under the serious consideration of the Legislature.

On the motion of Mr. Morton, seconded by Mr. W. Bell;—2d. That a special committee be formed for the purpose of carrying the foregoing resolution into effect.

On the motion of Mr. Smithson, seconded by Mr. John Brandling;—3d. That any expenses that may be incurred, ought to be paid by the parties interested, according to their respective interests; the coal-owners according to their respective vends, and the lessors to their mine and way-leave rents; and that a copy of these resolutions be forwarded by the lessees of collieries and way-leaves to their respective lessors.

On the motion of Mr. Stobbart, seconded by Mr. Flintoff;—4th. That the proposed inquiry into the navigation of the Thames, and any proceedings in Parliament respecting the harbours on the eastern coast, be attended to by the committee hereafter named.

On the motion of Mr. Henry Pease, seconded by Mr. Prattman;—5th. That copies of the above resolutions be forwarded to the Members of Northumberland and Durham, and of the city and boroughs within the same, in order to enable them to give the important subjects

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subjects they embrace their immediate consideration, and that Sir M. W. Ridley, bart., Sir H. Williamson, bart., Mr. Bill, Mr. G. F. Young, and Mr. Alderman Thompson, whose names appear on the committee of inquiry into the state of the harbours on the north-eastern coast of England, be specially requested to attend the same.

6th. That the following gentlemen form the special committee in pursuance of the second resolution:—Mr. R. W. Brandling, Mr. Nicholas Wood, Mr. John Buddle, Mr. Hugh Taylor, Mr. H. Morton, Mr. Stobbart, Mr. W. Bell, Mr. Smithson, Mr. Humble Lamb, Mr. Charles Perkins and Mr. Thomas Brown.

Robert W. Brandling, Chairman.

This circular is followed up by a resolution of the special committee, passed on the 7th instant, in the following words:—

That 12*s.* 6*d.* for each 1,000 on the basis be immediately collected by the respective secretaries from each colliery within the counties of Northumberland and Durham, and paid into the bank of Sir M. W. Ridley, bart., & Co., to form a fund for carrying into effect the resolutions passed on the 2d instant, and that such fund be applied for the purposes specified, and those only; and that the lessees of all mines and way-leaves be requested immediately to apply to their lessors for a contribution which, the committee take the liberty of suggesting, could not be considered exorbitant, if taken at one per cent. on their actual rents.

203. You have explained the principle on which that meeting took place?—Yes.

204. Are we to understand the opposition which has been given to the two Durham railroads to be on that ground and no other?—By the coal-owner solely on that ground; by the landed proprietors no doubt there may be a different ground of opposition, inasmuch as the landed proprietors are placed in different situations. The railroad going through a landed proprietor's estate; that landed proprietor may not have his land situated in a mineral district, or it may be situated in a mineral district; in the latter case the value of the land, and the compensation that should be paid by the railroad projectors would vary considerably; but there are other cases within our district where the landed proprietors are not only the proprietors of the land within mineral districts, but are also the workers of mines by themselves or their lessees. In some of these railroads, the projectors ask the Legislature to take the land away from the proprietor, who is working the mines, in order to enable them to take the same produce to the same market to undersell him.

205. Mr. *Lambton.*] Does not that very coal-owner pay about 3,000 *l.* or 4,000 *l.* a year for his private way-leave?—Decidedly he does; I allude to the Marquis of Londonderry.

206. *Chairman.*] In furtherance of these resolutions did you petition Parliament?—The coal-owners petitioned and I petitioned. This petition which I hold in my hand was from the landed proprietors and the lessors and lessees of coal mines.

207. Did you sign that?—I signed this as well as the other; but I signed a petition as a coal-owner on the principle I have stated, the hardship of the exemption from the way-leave rents. This is the petition of the proprietors and lessees of coal mines.

[*It was handed in, and was as follows:*]

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The Petition of the undersigned Proprietors and Lessees of Coal-mines and Collieries in the counties of Northumberland and Durham,

Sheweth,

That a Bill "for making a railway from Frosterley to the City of Durham Branch of the Clarence Railway, with various branches therefrom, all in the County Palatine of Durham," called "the South Durham Railway;" and also a Bill "for making a railway from the Chilton Branch of the Clarence Railway to St. Helen's Auckland, with two branches thereout, all within the County Palatine of Durham," called "the Durham South-West Junction Railway;" and a Bill "for making and maintaining a Railway from the Town of Newcastle-upon-Tyne, in the County of the Town of Newcastle-upon-Tyne to North Shields, in the County of Northumberland, with two branches thereout, both in the County of Northumberland," called "the Newcastle-upon-Tyne and North Shields Railway," have been introduced into Your Honourable House, and the Railways therein named are proposed to pass through the coal-mining districts of Northumberland and Durham.

That some of the proposed railways appear to be intended for the sole purpose of conveying coals from certain districts wherein workable coal mines are supposed to exist, to the places of shipment.

That

That powers are proposed to be given by the provisions of these Bills to the promoters thereof to carry such railways across the lands of the owners thereof, whether they shall consent or otherwise.

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That your petitioners are engaged in extensive coal mines within the above counties, and that the coal is raised thereout, and shipped at a very great expense.

That railways of wood and iron have been in common use for at least 150 years in the counties of Durham and Northumberland, for the conveyance of coals from the pits to the place of shipment, and during such period it has been the universal custom for the workers of the mines to pay way-leave rents to the landed proprietors for the liberty of laying down such railways, and that the amount of rent is always settled by private contract between the parties.

That the consequence of these Bills, if passed into laws, will be to relieve the promoters thereof, and the coal-proprietors of the district through which it is intended to pass, from the necessity of making private bargains for way-leaves with the landed proprietors, and the promoters are therefore attempting to obtain an unfair advantage for themselves and others over your petitioners and others.

That the passing of these Bills in their present shape, would be a most unjustifiable bonus to the promoters thereof, and to a few coal-proprietors to the prejudice of the remainder, a strict violation of the acknowledged rights of the proprietors, subversive of the long-established customs of the country, and unjust towards your petitioners, and the lessors and lessees of existing collieries and railways.

That very large sums of money are annually paid for such way-leaves, and an immense capital is embarked in the working of the collieries in the said counties, and such rents and capital form the subject in many cases of family settlements and securities for money, and which will be endangered by any unjust and undue interference with the before-mentioned established custom.

That your petitioners do not object to a fair competition, but they submit that if one party is bound to pay considerable way-leave rents, while others in the same district are enabled by means of an Act of Parliament to construct railways, upon which coals may be conveyed to the place of shipment without any such payments of rent, that all such fair competition will be destroyed.

That the Legislature has already, by two Acts passed during the last session, sanctioned the principle that way-leave rents should be paid for the right of constructing railways through lands in mineral districts, where, by the long-established custom of the country, such payments have been made, and that a clause is contained in those Acts, rendering the consent in writing of the owners of the land absolutely necessary.

That the Bills before alluded to, are manifestly unjust in the foregoing respects, and your petitioners submit, that the long-established custom before mentioned, and which has been sanctioned by the Legislature, should not be deviated from, but that such provisions and clauses should be inserted in those Bills as may be necessary to protect their rights and interests.

Your petitioners therefore pray, that in the above Bills, and in all others where the object of the projected railway is for the purpose of conveying coals to the place of shipment, a clause be inserted requiring a consent, in writing, by the owners of the land over which such railway is intended to pass.

And also to secure such land-owners a way-leave rent according to the established custom of the country, or in cases where the land belonging to such land-owners is to be sold under the authority of such Bill or Bills, that the value thereof shall be estimated with reference to the amount of way-leave rents, to which in other like cases, such land-owners would, according to such custom, have been entitled over and above the actual value of the land.

And that the Committees on the said Railway Bills be instructed by Your Honourable House, to report specially upon these points, and to state whether such clauses have been inserted or not.

And your petitioners will ever pray, &c.

The Witness.] Lord Londonderry presented a petition setting forth his peculiar situation; and his case represents the case of all other landed proprietors, and something more; it contains the very peculiar hardship of taking away his land to ruin his trade, and to deprive him of the profit which he thought he had secured to himself. Every proprietor in hazardous undertakings thinks he is justified in purchasing property to protect himself from the competition of his neighbour. The proprietor of cotton-mills may purchase the stream for miles above and below him, to prevent other parties engaging in the same speculation; in the same way the Marquis of Londonderry might have purchased the intervening land between other coal-fields and the port of shipment, for the same purpose.

208. Were you present at any meeting of the coal trade at the British Coffee-house, 16th of April?—I dare say I was.

209. See if that is a copy of the resolutions, and state for what purpose the monies then directed to be paid were applied?—This is a correct copy of the resolution. The money was to be applied in resisting the South Durham Bill, and

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to carry on the coal-trade opposition before the Committee, on the ground that the Bill exempted our competitors from way-leave rents, which we paid.

[*It was handed in, and was as follows :*]

At a Meeting of the Special Committee of the Coal Trade, at the British Coffee-house, 16th of April 1836.

Present :—R. W. Brandling, Esq., in the Chair.

Mr. J. Buddle, Mr. Nicholas Wood, Mr. H. Taylor, Mr. C. Perkins and Mr. Thomas Brown.

Resolved, That it is necessary that Mr. Gills do immediately collect one-half of the sum to be requested in and from lessors, and the whole of the contribution to be paid by the lessees; and that he request Messrs. Ridley & Co. to remit 400 *l.* on account of the coal trade, to their correspondents in London, with authority to honour the drafts of the chairman, Mr. R. W. Brandling, to that amount.

(signed) *R. W. Brandling.*

210. Are we to understand that money is the contribution agreed to be paid by the agreement of the 2d of April?—Yes, for the purposes that I have distinctly stated to the Committee.

211. To oppose the progress of the Bills?—Yes, as far as they affected our rights; if there was any clause that could be put into those Bills, subjecting the parties to the same burthen that we pay the coal-owner, opposition would have ceased.

212. How was that money expended?—In a way we have no control over; in feeing counsel, and paying the necessary expenses of the inquiry before the Legislature. Being thoroughly convinced in my own mind of the justice of the ground we have taken, I stated at the meeting, if that fund was not raised, I should throw myself on the justice of the Committee, present a petition, and merely appear in person.

213. Has there been any further proceeding in support of your rights respecting the way-leaves, which I understand to be the ground of opposition?—We employed counsel to state our case, and to examine witnesses as to facts.

214. Mr. *Ingham.*] If the South Durham and South-west Durham Bills gave them only permission to take way-leaves, on arranging with the parties, and not being Bills containing compulsory powers, there would have been no objection to them?—Certainly not.

215. Last year there was the Durham and Sunderland Railway?—Yes.

216. Did the Bill contain Parliamentary powers, or merely capacitating the parties to treat with the land-owners?—It was merely enabling the parties to treat with land-owners.

217. During the last session did not the Brandling Junction Railway pass upon the same principles?—That Act was obtained upon the same terms; it was to join Gateshead, Sunderland and South Shields.

218. Mr. *Lambton.*] You have been asked questions relative to the South Durham Railway; is it your opinion that the promoters of that Bill, if they obtained it, would be anxious to join the regulations?—I believe the coal-owners would who come down the line; indeed I have no doubt about it.

219. Did not the coal-owners connected with the promoters of the Bill make this monopoly a great argument in favour of their case?—I believe they used that argument for the purpose of getting the Bill passed.

220. Mr. *Pease.*] Do you know William Russell, esq., a director of that company?—I do not know whether he is a director. I saw Mr. Russell yesterday, and he gave me to understand that he was in some way interested in the passing of the Bill, having a large coal-field in that district.

221. Did you ever see the prospectus of the company?—I have.

222. If he is a director of this company, is he not also a party to this monopoly at present?—He is a party to our agreement, and has been for many years.

223. In the prospectus did you notice the name of Mr. Barret as a director?—I did not.

224. If he is a partner in the Norwood Tees company, is he a party to the agreement?—Yes.

225. Do you know whether Mr. William Mills of Willington is a party to the agreement?—I do not know.

226. Is he a trustee for coal mines which are in the agreement?—I am not aware of the particular mines alluded to.

227. Mr. *Chapman.*] Allow me to ask whether the restriction ceases when the coals

coals are shipped at Newcastle, or whether you impose any restriction as to the sale of the coal in London?—There has been a rotation system established in London for the sale of the ships.

228. If I go to Newcastle with bank-notes in my pocket, will you supply me with coal?—Yes.

229. Do you restrict me in the sale of that coal, that it should be sold by your particular agent?—Some of the collieries do; some of them say, "we will not sell you the coal, unless you will send to a particular agent in London." They think, by so doing, that their property is safer; it is one of the conditions of sale, and you exercise your discretion upon the subject, whether, under such circumstances, you will purchase. If you were to come to my office, and ask me whether I would sell you coal or not? I should say certainly, and my price is so and so, provided you choose to go to my factor.

230. Suppose I come with the bank-notes in my pocket, and I lay them down upon the counter, and the article you sell is paid for to your satisfaction at the time, allow me to ask, does the restriction cease then, or do you compel me, on the sale of the article I have purchased, to employ any particular broker or factor?—The article is not paid for to my satisfaction until you comply with my terms. You come to me and say, "What will you take for your coals?" I say, "I will take 20*s*., provided you will go to my factor." You say, "No, I will not; that is a hardship." I say, "It is not so, because my property is only safe in that gentleman's hands, and if you do not choose to go to him, you may go and buy your coals elsewhere; if you buy my coals, I will not trust my property in the hands of anybody but my own factor." Any person selling West-India property is at perfect liberty to say, when they arrive at such a market, I will sell it to you provided you will go to my factor. It appears to me, upon the purchase of any article, the seller of that article may attach whatever condition he pleases to the sale, and whatever condition he puts is part of the price.

231. Were those conditions ever imposed 20, 30 or 40 years ago, or previous to those regulations, in the north?—Yes, I have known collieries that did do it, and found it necessary for their own protection, when there were no regulations existing.

232. Although they had received the purchase-money in bank-notes?—Precisely so; because, if you place my coal in the hands of a factor who may have a coal of the same description, I have no guarantee there may not be great partiality shown. It is the same as the case of the landed proprietor in Leicestershire who sends his cattle up to London for sale; he may insist they shall go to a particular salesman in Smithfield, because he has a good opinion of that man; it is a condition between the buyer and seller, with which nobody has anything to do.

233. Mr. *Lambton.*] Has that condition the effect of raising the price of coal in the London market to the consumer?—Not the slightest.

234. Mr. *Pease.*] Are you aware whether factors advance money to the collieries, at times, precisely upon that express condition?—Many such cases I have known, and I believe that it is practised to a considerable extent.

235. Are you aware whether the fear exists upon the part of the coal-owner, that the value of their article will be depreciated in the price-current of the day by being sent into the hands of strangers?—Certainly.

236. Mr. *Chapman.*] Is it the interest of the man who has purchased the coal at Newcastle that the price should be depreciated in London?—It certainly is not generally his interest, but I can conceive cases where it may be his interest, and where, decidedly, it may be the interest of those into whose hands the coals come.

237. *Chairman.*] Are you aware of any committee in London acting in unison with the association in the north, as to feeding the market and the supply here?—Yes.

238. What is the nature of that committee?—It is a committee of the factors, for the purpose of keeping the prices regular for the satisfaction both of the coal-owners and shipowners.

239. Does that committee consist of members of the Coal Exchange?—Yes, it does.

240. Do they not bring to market, according as they shall think fit, such quantity of vessels as they think the demand requires?—They offer a certain quantity for sale, and offer them as they arrive in the river in turn. They offer a certain number of ships for the market, according to the price in London; if the price in London rises above what is considered to be the fair average price of coal in the London market,

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market, they offer a great number of ships for sale; if it falls below that, they offer a less number for sale.

241. Do they act in any way in communication with your association in the north, and do they report to you regularly?—We hear regularly what price has been offered; previous to the regulation being adopted they submitted the heads of the regulations to the coal-owners, and through the coal-owners to the ship-owners, to know how far it met with their approbation; and the coal-owners and the ship-owners both were so convinced that it would tend to the benefit of the trade in general, that we signified to the factors our decided approbation of the system they intended to establish.

242. If any ship-owner wishes to sell his coals out of the turn, and sooner than the factors' committee allow, what is the consequence?—If that ship-owner had loaded with me, and there was an understanding that he should sell according to the rules established by the factors in the market, and if he chose to break his engagement, I should make no more engagements with him, and if he came back to my office to load, I should say "Sir, you have broken your engagement with me, and I will not load you."

243. Suppose I am 30 on the list, and the committee in London bring only 20 to the market. I choose to come forward myself, not wishing to stay, and sell my cargo; I am loaded with your coals; will my conduct be reported by the committee to you?—It will be reported in this way: They would inquire whether the ship-owner had made such an engagement with me at the time he loaded, as part of his bargain; if I reported that he had, when he came back to me I should tax him with a breach of faith, and should make no more engagements with him.

244. Do you recollect the instance of a vessel, called the Olive Branch, in November 1835, selling out of turn, being reported by the committee, and when she arrived in the north receiving an order from you not to be supplied with her turn of coals?—It is very likely, though I do not recollect the ship's name.

245. Do you know Mr. Husdale?—I do not. If it had been reported to the committee in the north, that such a ship had deviated from its turn, we should then inquire whether that ship had entered into any engagements. As soon as I had ascertained that I should have desired the secretary, Mr. Gills, immediately to give notice to the office where that ship had loaded, that she had broken her engagement.

246. I have here the following statement: "that the Olive Branch sold her cargo without laying her turn; that a Mr. T. B. Scott, connected with the Coal Exchange, complained that a gross violation of the rules had taken place, wrote down to the committee in the north, and that by your order she was prevented from getting a cargo." Is that the fact?—I have no doubt that the fact is so. If Mr. Scott, who is the secretary of the coal-factors' committee here, had represented any deviation from the rules with respect to the Olive Branch, or any other ship, I should have considered it my duty as chairman, under the sanction of the committee, to make inquiry into the facts, and if I had found the proprietors of the Olive Branch had broken their engagements, I should have certainly given notice as chairman to the office where that ship had loaded, and in all human probability should accompany that notice to them with the expression of opinion that it was decidedly against the understanding that existed between the coal-owners and the factors, that that ship should be loaded again, she having broken the engagement she had entered into.

247. Do you understand the coal-merchants to be any parties to this committee, or is it composed only of factors?—The coal-merchants have nothing to do with it.

248. Suppose this vessel had belonged to a coal-merchant, would not the consequence of this order of the northern committee be to oblige that vessel to leave the trade, as she could not at any future period obtain a cargo?—It would oblige the owner of that ship to satisfy the committee that he was a person of sufficient honour to be trusted in future.

249. Would you continue to refuse to load that vessel until the proprietor did so satisfy the committee?—Decidedly so.

250. And is that the general rule?—It is the rule that we have adopted, and which I expect the whole trade are acting upon.

251. Mr. *Lambton.*] Have the coal-factors' committee any connection or communication with the collieries that do not belong to the regulation?—No.

252. Then may not the collieries that do not belong to the regulation send their coals into the river, load and unload without reference to this arrangement?—Yes.

253. Mr.

253. Mr. *Chapman.*] Suppose I do not wish to be shackled by any such arrangement, if I choose to put bank-notes down on your counter, have you the power to resist my demand for a load of coals?—Certainly. *R. W. Brandling, Esq.* 14 June 1836.

254. Is there not an Act compelling you to comply with my demand?—No, I do not believe the Act goes that length.

255. Mr. *Lambton.*] What is the price of coal when it leaves the coal-owners' hands?—The average price is about 9*s.* or 9*s.* 6*d.* a ton.

Mercurii, 15° die Junii, 1836.

MEMBERS PRESENT.

Mr. Hume.	Mr. Aaron Chapman.
Mr. Wakley.	Mr. Ingham.
Mr. Pease.	Mr. Wason.
Mr. Pusey.	Mr. Humphery.
Mr. Lambton.	Mr. Hector.
Mr. Edward Curteis.	

MR. HUME, IN THE CHAIR.

Robert William Brandling, Esq. called in; and further Examined.

256. Mr. *Wason.*] I AM aware that you have stated the information I am about to ask you for in different parts of your evidence, but I wish it distinctly to appear in one place; state to the Committee your opinion of the effect on the public, in the event of the Legislature forbidding any arrangement among the coal-owners for the purpose of supplying the markets?—It would produce a fighting trade; it would increase the competition, and the immediate effect would be a depreciation in the prices; how long that would continue would depend entirely on the effect it would produce on those collieries that were raising their coals at the greatest expense. The collieries naturally would suffer most that were raising their coals at the greatest expense, presuming the prices of the coals to be the same, and the coals to be of a similar quality. This state would continue for a certain time, and the collieries that were the least able to bear it would be driven out of the trade; many of the collieries would be laid in, and some would not be brought into the market again. After that had continued for a certain length of time, I conceive that the collieries that survived would naturally raise the price of their coals to that price which I described before, as appearing to me a natural price; that is, a price a little below the price that the public can get the same article for elsewhere. Of course, during that fighting trade there would be an effort made by the coal-proprietors to enable them to continue their trade, the price of labour would be reduced, except to coal-hewers; and there would be considerable distress produced, both to the coal-owners and to their labourers generally. The public, in the meantime, would certainly get their coals cheaper; but there would be a transfer of the labour and capital from one district to another, which would materially affect the value of property within that district. To trace all the effects a violent measure of that kind would produce in the country is impossible, without very considerable time taken and much deliberation. I would not venture to give anything like a precise answer on a subject so important, if I were to sit down to write one. *R. W. Brandling, Esq.* 15 June 1836.

257. Is the opinion you have given formed from the experience you have had of what took place during the time you had a fighting trade?—Decidedly.

258. Mr. *Curteis.*] During the fighting trade were the labourers thrown out of employ or not?—The wages were reduced in many instances.

259. Were the labourers thrown completely out of work?—No, they would not be for a time, because competition would rather increase the demand for labour.

260. Mr. *Wason.*] You have said the wages were reduced; was that so?—In many instances they were; in many instances the collieries were laid in, and the workmen were obliged to seek work elsewhere.

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261. Was the reduction in price of wages so great as to occasion distress at the time?—I am not aware of that, but there was considerable distress produced in particular districts.

262. Mr. *Curteis.*] You say the price of labour was reduced, but the demand for labour was increased; how do you explain that?—In particular collieries the hewers had to seek employment, as in the surviving collieries. There was also a considerable quantity of other workmen in particular collieries thrown out of employment. It is not hewers only that are employed in a colliery, but there are a variety of other workmen employed in all collieries. If one colliery ceases working, the hewers and putters will get employment elsewhere, but all the rest are thrown out of employment, and it creates considerable distress among them. If I had two collieries, one of which was a thriving concern, and the other was not, if the fighting trade was established, I should transfer a particular description of the workmen from the colliery that was not a thriving colliery to the one that was, and they would answer all my purposes, because I should not increase the standing establishment of that colliery, I should merely increase the number of productive labourers; but then, as far as regarding the standing labourers and permanent labourers of the other colliery, all those employed there would be naturally distressed. I should produce the same quantity of coal from the one colliery I did from the two, merely with the additional assistance of the hewers and putters only. I should transfer them to the colliery most productive, and let the other labourers go and shift for themselves; but by that disturbance of labour there would be produced considerable distress among those families.

263. Mr. *Chapman.*] Are the Committee to understand that if great collieries, such as Lord Durham's and Lord Londonderry's, were to put forth all their energies, that they would, by giving such an immense supply, lower the price, so as to swamp the other little collieries?—No, I do not think they could; many of the little collieries are worked at a considerable less expense than those large collieries.

264. Then a combination of the great coal-owners would not have an ulterior effect, so as to destroy the small ones?—It would destroy some of them.

265. Is there not an Act of Parliament making it imperative on the owners to load every ship that comes in regular order?—There is; if the parties can agree on the price, and the ship is entered on the turn-book, the coal-owners or fitters cannot give another ship the preference; if your ship is entered on my list I cannot, after I have made the bargain with you, take another ship on and load that before yours. That is not the case in Sunderland; it is only the case in the Tyne. We have never applied to Parliament to be put in the same condition, because we considered it was beneficial to the ship-owners and not prejudicial to us.

266. Mr. *Ingham.*] Was not the object of that Act to regulate the proportions in which, what they call spout-vessels and keel-ships, should be supplied?—I think there is no mention in the Tyne Act of the keelmen; the Act was passed solely for the purpose of preventing the coal-owner taking on another ship, if the market should happen to rise, or if he should be tempted by any offer of a pecuniary nature, so that he should not be allowed to load another ship before the one which was in turn.

267. Mr. *Pease.*] As in the case of his being a ship-owner he might be tempted to do so?—No doubt.

268. Mr. *Wason.*] Now, as to the sort of coal; in your opinion would it be the good coal alone or the bad coal alone, or would it be both sorts of coal, the pits of which would be laid in, in consequence of this fighting trade?—The collieries would be laid in that were working at the least profit.

269. In your judgment and opinion, do those collieries make the least profit which are working of the good coal alone, or bad coal alone, or of both?—I can give no opinion on that; I gave the Committee all the information I can give on the subject by stating my own case, in which I was part owner of a colliery, producing the best coal, and two collieries producing that of an inferior nature; in the fighting trade, if the price was to be reduced, and if any of those collieries were to be laid in, I believe it would be the colliery producing the best coal which would be laid in long before the others.

270. Mr. *Pease.*] Is it your opinion, as a general proposition, the better quality of coals are the deepest and more expensive?—The collieries producing the best coals are considerably deeper than the collieries producing the inferior sort of coal, speaking

speaking generally; there are particular cases in which that is not so. There is a colliery, the deepest in the district, where the coal is not found in that perfection it was expected it would be met with in consequence of the depth. The colliery I allude to is 200 yards deeper than other collieries producing the best coal.

271. Mr. *Wason.*] Is that an exception to the general rule?—Yes; the general observation is, that the best coals are produced from the deep collieries; the high-main coal of the Tyne was produced from deep collieries, and the collieries producing the Hutton seam are also deep collieries.

271*. May we take it as a general proposition that the deeper the colliery the more expensive the coal?—In general.

272. Mr. *Pease.*] Do you state it also as a general proposition, that to arrive at the best coal the inferior coal must first be won?—No, certainly not.

273. Do you know any good coals, by which is meant coals of the first quality, that are worked as cheap as some of the more inferior coals?—Certainly not.

274. Is there generally a reduction of rent in proportion to the quality of the coal?—In general.

275. Do the inferior seams generally lie near the surface?—In general.

276. Are the expenses of sinking to the inferior seams, ordinarily less than sinking to deeper and superior seams?—Generally.

277. Supposing the powers of the collieries, and the quantities to be drawn from those collieries equal, would you say that there was a decided advantage in favour of cheap production to the owner of inferior seams over and above the owner of the superior or lower seams?—I should say so.

278. You have been asked whether the continuance of a fighting trade would have any tendency to confine the working and sale of the coals to the coals of the best quality; what is your opinion on that subject?—I do not think it would.

279. Are you aware that certain inferior coals are worked in the neighbourhood of Blyth, known by the name of the Blyth and the Cowpen collieries?—I am.

280. Are those collieries in your regulation?—Yes, they are.

281. Is a basis assigned to those collieries?—Yes, there is.

282. Are those coals near the sea, and of cheap production?—I believe they are; they are near the sea, and I believe are cheap of production.

283. Have those collieries been able to dispose of the quantity of coals, even at the price at which they are offered, in proportion to the other and better collieries?—I cannot speak decidedly on that subject, but I believe they have not.

284. Have you ever known them considerably behindhand, as the phrase of the trade is, or short in their quantities?—Yes, I have.

285. Can you give the Committee an idea of the price of those coals on board?—No, I cannot; but I should conceive Mr. Buddle may.

286. If it should appear that those parties have not been able to sell their quantities, would you not take it as an assurance that the demand on the part of the buyers regulates the quantity of inferior coals sent into the market?—Certainly.

287. Are those coals sold for particular branches of manufacture?—Yes, I believe they are adapted for particular branches of manufacture.

288. Is it not a fact that some of the lowest or nearly the lowest qualities of coals in the fighting trade, bring as high or a higher price than the best coals?—That was the case during the last fighting trade, I believe.

289. Are not coals that would not be purchased for housekeepers' coals at all, sold as high as the best housekeepers' coals?—That was the case, I believe.

290. Do you consider that as a proof that the demand of the public is for a certain proportion of inferior coals?—No doubt it is.

291. Do you know the Hartley coals?—I am not particularly acquainted with them.

292. Can you not speak as to their quality?—They are an open burning coal, and work very large.

293. Do they, in the phraseology of the trade, burn to a white ash and dust?—Yes, they produce a considerable white ash.

294. Would those coals be considered a housekeeper's coal either in the north or in London?—I should think not.

295. Are not those coals in particular frequently quoted as high as the very best coals?—Sometimes they are.

296. In the open trade how was it generally?—I cannot speak as to that fact; but the price will be given in of Hartley and Blyth during that time.

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297. Have you been speaking hitherto to the prices in London?—Yes, entirely.

298. Does this fact weigh with you in giving an opinion that inferior coals would still be sent into the market?—Yes, certainly.

299. Can you give the Committee any facts or statements to justify the supposition that the proportion of inferior coals sent into the London market is different to that which is requisite to meet the exigencies of the trade?—I can state no other fact, than it is evidently the interest of those who sell the coals to get off as many of the inferior coals as they possibly can, to mix them, and get them off mixed with the superior coals; it is decidedly the interest of those who deal in coals in London to dispose of as many inferior coals as they can possibly dispose of, and, if they can, to mix them with the others.

300. Are you aware of any complaints that a proportion of coals sent into the market are not adapted to the wants of the public?—I have never heard any complaint of the sort.

301. Will you state to the Committee the effects of the fighting trade upon the profits and convenience of the ship-owners?—Myself not being a ship-owner, I cannot give any very distinct information on that point. The ship-owners can speak to that; but it must produce a great irregularity of freights.

302. Are you aware that in the case of a fighting trade, every coal-owner exerts himself to supply the ships coming to his staiths or drops with the greatest celerity?—Yes, certainly.

303. Supposing a fleet wind-bound for days, arriving in the river and ports of the north, are not those ships loaded with the utmost possible dispatch?—They are loaded with as much dispatch as possible.

304. Is it common in those cases to work the railroads, and the officers about the collieries, night and day, what is called a spell?—Yes; we call it working the colliery double-shift.

305. Do you consider that a fighting trade materially increases the quantity of coals vended?—I do not think it does.

306. Not at all?—It may to a certain degree, but not very materially. I do not believe, in a fighting trade, you will find the quantity exported from the port of Newcastle was so great as during the regulation.

307. During a fighting trade, are the ships cleared out in the course of a few days, and is then this consequence produced, that the whole of the collieries, the parties employed on the railroads, pitmen, and others, after having been worked night and day for a few days, are wholly laid idle?—That is the natural consequence; it must be so, as there are no ships to load.

308. *Chairman.*] How do you reconcile your statement that the quantity vended would not be increased materially in an open trade, when you have already stated that the price fell considerably in the London market, by the quantities then brought for sale?—The competition in the London market will be very considerably increased, and the prices will naturally fall; but the whole quantity during the course of the year would not, I believe, be increased. The quantity consumed, when there has been an open market, has not been greater than during the regulation.

309. Must not the price, on the average of the year, depend on the quantity brought for the use of the consumers?—No; I think it depends entirely on the competition.

310. Mr. *Pease.*] Does it follow that a large fleet sailing simultaneously from all the ports in the north, that that fleet will probably arrive about the same time in the Thames?—That is probable.

311. If the whole of those ships were immediately entered on the market for sale, the competition of which you speak would necessarily arise?—Of course.

312. Are you aware whether all the coals are sold at the place of shipment; actually sold to the ship-owners?—Certainly not.

313. Then, provided the competition produced ruinously low prices, in case the coals had been sold to the ship-owners, on whom would that loss fall?—On the ship-owner, if they were sold to him.

314. In the cases when the coals have been sent as freight, on whom would the loss fall?—On the freighter.

315. Are you aware, whether in some of the ports, the Tees, Hartlepool and others, freighting now subsists to a considerable extent?—I am informed it does.

316. Then, if the coals are freighted to London and are there disposed of at

the highest price the market will afford, can the price at the port, as given in by you, be considered as anything more than nominal?—Certainly not

317. *Chairman.*] Will not the price in London, on your own evidence, depend on the quantity that is brought there?—It depends on the quantity that is brought there at particular times.

318. What do you mean by the best price which can be got?—The market price.

319. Mr. *Pease.*] In a regulated trade, the arrival of fleets in the ports in the north and at the port of sale and delivery are very uncertain, are they not?—They are not so uncertain as in a fighting trade.

320. Do they arrive in such quantities in London, to as your knowledge, that they could not be delivered within a reasonable time?—Very often.

321. Even although the cargoes are sold?—Even although the cargoes are sold.

322. Would that difficulty be increased in a very considerable ratio under the non-regulating system?—That is the effect of non-regulation.

323. Then the inconveniences in a non-regulated trade to ship-owners are very great at the port of shipment, and very great at the port of delivery?—No doubt.

324. You have stated there is a regulation as to the delivery of vessels in London in their turns, under certain circumstances of price and demand?—I have.

325. Do you know whether that regulation was the result of application to the factors and coal-owners from the ship-owners?—I am not in possession of any document which proves direct application; but I believe it to have been the case. The factors, after they had made the regulations, certainly submitted them to the coal-owners and the ship-owners, and I have always understood that those regulations were adopted chiefly in order to regulate the supply, and really for the convenience of the ship-owners.

326. Do you ever remember as chairman presiding at a meeting of coal-owners, and receiving an official communication from the ship-owners of Shields and on the Tyne, requesting the coal-owners to forward such a regulation?—I have been chairman at two or three meetings with the ship-owners, in which the general opinion expressed by them was, that some measure of that description would be extremely beneficial to the trade.

327. Have you the documents?—I have not got them here; but I can procure them. In consequence of the opinion expressed by the ship-owners, there was a communication with the factors in London, and they suggested the system which has been subsequently adopted and acted on.

328. Is it the practice in the north for the owners of large collieries to build ranges of dwelling-houses for the accommodation of their work-people?—Yes, in almost every colliery that takes place.

329. You have contemplated the shutting up of certain pits, do you contemplate the destruction of that property, and the non-employment of what may be called the staff of those concerns, the hewers and the putters only being removed to other collieries?—Yes, that is the view I take of it.

330. *Chairman.*] If a colliery was shut up altogether and unable to work from increased expense, the vein dipping and becoming more expensive to work; if they were unable to meet the competition, would not all parties be obliged to seek employment elsewhere?—They would, and a part of them would perhaps procure employment very easily. The hewer of coal would find employment, but the staff of the colliery who are not hewers would be thrown out of employment, and perhaps not be able to procure it at all. It requires a long education for a man to become a hewer of coal, and the parties I allude to cannot turn their hands to that species of employment.

331. If a coal-pit is shut up in one place, will not the demand, whether by an increase of price or otherwise, oblige or encourage the opening of coal-pits somewhere else?—The immediate effect would not be that; the immediate effect on me would be, having two collieries, to transfer the hewers from the pit shut up to the one that would pay, all the rest would be thrown out of employment; there would be considerable distress produced to them, and of course among the tradesmen they deal with.

332. On the 25th of May 1830, after you had given your opinion of the propriety of supporting the regulations of the vend, and of the advantages to all parties, thereby, the following question was asked, "Whether, if the coastwise duty on coal was removed, it would, in your opinion, be wise for the coal-owners to dispense with

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with the regulations of the vend?" and the answer you gave was, "I think in all human probability the effect would be that there would be no occasion for any regulation whatever. I think the removal of the duty would at once create such a demand for the article, that the demand would be nearly equal to the power of supply." Now, have not all the duties been removed since then?—They have.

333. Will you state why the opinion you then gave is at variance with the opinion you now give of the advantages of continuing those regulations which you thought might be dispensed with?—My expectations at that time have not been realized; the demand has not increased in the same proportion with the supply; the powers of supply from the different collieries have increased in a greater proportion than the demand, which has not increased to the extent I expected it would have done. From the Tees the power of supply has very materially increased, and much beyond what I anticipated at that moment. A great number of other collieries have been opened out without any encouragement, except the mere expectation of gain; they have increased without any legislative encouragement, and the demand has not increased in the proportion I expected.

334. Does not the regulation of the vend by keeping up the prices in London to the highest point to avoid competition, necessarily tend to limit that very demand?—Keeping up the price in any way to a certain degree does.

335. Then does not the vend, in point of fact, by thus keeping up the price and limiting the demand, act in opposition to what you expected from the repeal of the duty?—To a certain degree, no doubt.

336. You are not able to state to what degree?—I am not; no doubt the cheaper the coals are, the more coals will be consumed; I mean more will be consumed, if coals can be made permanently cheaper; the cheaper they are, the more will be consumed.

337. Mr. *Lambton.*] Do the coal-owners obtain an ordinary rate of profit while the coal remains at a low price, occasioned by competition?—Certainly not; I hold it is absolutely certain that low prices could not continue; the natural course of trade would prevent its continuing; there would be a re-action, and probably the price would be higher than during a regulated trade.

338. *Chairman.*] If the trade was fairly open would not the price of the coals depend on the rate at which they could be brought to market?—I think not entirely; I think, as in all other trades, the proprietor of the article would get the highest price he could.

339. Would not competition enable the public to obtain the coal at the lowest rate?—If you can permanently secure that competition; but I conceive, unless the Legislature take the property into their own management, it is absolutely impossible.

340. Have you any opinion the coal-field is likely to be exhausted?—I have no doubt the period of the continuance of the coal-field may be easily ascertained.

341. Do you not know, in fact, a large coal-field has been ascertained south of your district, to which the two railroads now lead?—No; no coal-field has been ascertained there beyond what we have been acquainted with since the opening of the Hetton colliery; we have ascertained that these seams in that district extend further under the magnesian limestone than we supposed they did; but they have also ascertained, at the sinking the colliery at Thornley, that the particular species of coal does not extend as far south as they expected; but making every allowance for that, I should suppose, from the calculation of persons competent to form an opinion, that the coal-field in the north will not last above 400 or 500 years.

342. Were you present at a meeting on the 16th of April 1836, at the British Coffee-house, the Marquis of Londonderry in the chair?—I was.

343. Is that a correct transcript of the resolutions agreed to at that meeting?—This is a correct copy.

344. Read it?—

At a Meeting of Coal-owners at the British Coffee-house, April 16th, 1836.

Present:—The Marquis of Londonderry, in the Chair.

Lord Ravensworth, Sir George Musgrave, Mr. R. W. Brandling, Mr. H. Taylor, Mr. J. Buddle, Mr. T. Brown, Mr. M. Bell, M. P., Mr. C. Perkins, Mr. M. Wood, and Mr. Davison: To take into consideration the resolutions of the general meeting of the coal-owners of the rivers Tyne, Wear and Tees, together with Seaham, Hartley, Cowpen and Netherton, held at Newcastle on the 2d of April, with a view of forwarding their objects and more effectually promoting their decisions. It was resolved, That in the opinion of this meeting, the projected South-west Durham Railway is injurious in principle to the interests

interests of the coal trade, as well as the South Durham Railway; and that the coal trade ought to co-operate with and assist the landed proprietors, lessors and lessees of coal mines and way-leaves upon the line of the South-west Durham, in their opposition to that railway now before Parliament. Proposed by Mr. C. Perkins, and seconded by Mr. H. Taylor;—Resolved, That Mr. Stephenson have a retainer for both the South-west Durham and South Durham Railways. Resolved, That the special committee appointed at the general meeting at Newcastle, meet from time to time and act under the authorities already delegated to them; and if they deem it necessary, that they call at any time another general meeting of the coal-owners in town.

(signed) *Vane Londonderry.*

345. Explain in what way you consider these railroads likely to be injurious, if they did not tend to open up a supply to come in competition with your supply in the north?—Simply by exonerating the coal-proprietors of that district from the burthens which we are subject to, and which we have been subject to for the last 150 years, in the shape of heavy way-leaves to the landed proprietors. That is the sole view we took, as coal-owners, of the question, and that is the principle alluded to in this resolution.

346. Mr. *Pease.*] Did the Durham South-west Junction open or propose to open any new coal-field?—None at all; the existence of this coal-field has been long ascertained; this is a mere private waggon-way, the same as the waggon-ways from any other part of the counties of Durham and Northumberland. There is no more reason why a public Act of Parliament should be passed for the South Durham or South-west Durham Railroad, than for an Act to exonerate other collieries, from Gateshead and other places, from the way-leave rents they have been paying to the dean and chapter ever since the collieries have been opened.

347. *Chairman.*] Did not that purport to give a more quick, easy and less expensive means of communication than any yet existing to that coal-field; I allude to the Durham South-west Junction?—The view we took was this; that they proposed to get through this coal-field to the port of shipment in a way different from what the custom of the country had established for a century and a half.

348. Mr. *Pease.*] Are you prepared to state to the Committee that that line was, in the terms just put to you, a more quick, easy and less expensive means of communication than any existing means of communication to that coal-field?—I cannot answer that question; I can only speak of the view the coal-owners took of the principle on which the railroad was to be established.

349. *Chairman.*] You state you objected to it, because it was contrary to the custom?—Yes, as coal-owners, we objected to it, because it was contrary to the custom of the country, which is for proprietors of collieries to make, for merely coal-roads, private bargains with the landed proprietors.

350. You objected because you in the north have made private bargains, and paid heavily for the conveyance of your coals, to any other parties being allowed to have a cheaper conveyance?—No, not to their being allowed to do so, but we objected to the landed proprietors being forced to do so.

351. Is not that a matter for the land-owners, and not for the coal-owners to consider?—Yes, and for that reason we said we would join those land-owners who were not willing to grant it, in resisting the compulsory clauses of the Act of Parliament.

352. Does not that resolution, agreed to at the meeting when you were present on the 16th of April, on your part, agree to employ Mr. Stephenson as counsel against these Bills, as coal-owners?—As coal-owners, to assist the land-owners, in order to defeat by any means in our power a measure which affected us both.

353. Have you had any communication or application from the land-owners to take that course?—I have had a communication with the agents of the land-owners who were adverse to this railway being established.

354. Does that appear in the form of letters?—No, it does not.

355. Has there been any meeting of the land-owners objecting to that?—I have had constant communication with Lord Londonderry, he was in the chair at that meeting, and he was one of the land-owners whose land was to be taken away from him.

356. Do you know Sir George Musgrave?—Yes, and he was present at one of the meetings.

357. Do you know Mr. Davison?—Yes, I know Mr. Davison, the bishop's agent.

358. Do they pass through the bishop's land?—Yes.

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359. Mr. *Ingham.*] Did the dean and chapter petition against it?—Yes.

360. Who are land-owners on the line?—Yes.

361. Did Sir Robert Eden?—I do not know.

362. *Chairman.*] You lent your assistance to the common cause?—I consider the coal-owners as injured by the Bill, and I joined the parties to resist it by every lawful means.

363. Many parties present at the meeting being land-owners and coal-owners?—Yes.

364. Mr. *Lambton.*] Do you oppose it because you consider it tantamount to a direct tax on you and not on the other parties?—We consider it as a direct bonus to our competitors in trade.

365. Mr. *Pease.*] At the expense of the suffering party?—Yes; at our expense.

366. *Chairman.*] As you have stated your opinion differently now as to the vend to what you did in 1830 on taking off the duty, can you give the Committee the dates of the different periods when the fighting trade existed?—Mr. Buddle will be able to state that in the returns; he will also be able to state the increase in the collieries, and the powers of production; and he will be able to show the powers of supply have increased beyond the demand, although the demand is on the increase.

367. Does your recollection serve you to state that, during every period of the fighting trade, prices have been lower and have continued lower for a considerable time after?—Not for a considerable time after the fighting trade has ceased, I should think it would not so appear; but during the fighting trade, the prices were both low and irregular.

368. Mr. *Lambton.*] How many times have you known the regulation to be off?—I cannot exactly say, but I have known it very frequently.

369. Every time you do recollect it, is it your opinion that during that time the coal-owners did not get a remunerating profit?—I believe they never get a remunerating profit during a fighting trade.

370. Is it in your recollection that, every time when the regulation was broken off, there was very great distress?—Very great distress in particular collieries, and among the coal-owners; they were, in many instances, positively losers by their mines.

371. Then they all came again into the regulation, and then the prices rose?—Yes, the prices rose to the point which I conceive to be the natural price every article should produce in England if the Legislature does not interfere.

372. Mr. *Ingham.*] What proportion of the consumption of England is supplied from the coal-fields of the Tyne, the Wear and the Tees?—I am not aware of that; there is a return, the Chairman is in possession of, which shows the export.

373. It appears from that paper to which you allude, the supply coastwise is supplied in the proportion of three-fifths by the collieries in the regulation?—Yes, it does.

374. You do not know what proportion the entire consumption of England bears to that which is received coastwise?—No.

375. *Chairman.*] Can you state whether the public have had the full benefit of the reduction of the taxes since you were last examined?—I believe they have.

376. In the reduction, do you allude to the tax on all coals borne coastwise?—To the general taxes.

377. Can you state whether the tax called the Richmond-tax, the 1 *s.* that has been taken off, has had any effect on the general price?—I should think it had not in that instance; it was a bonus given to the coal-owner on the Tyne; it was a positive tax on us, and we have had the benefit of its being taken of.

378. Mr. *Lambton.*] You stated yesterday the price of coal at the pit's mouth in Scotland and Birmingham was higher than at the pit's mouth of those collieries which belong to the regulations?—Higher, I believe, than any of the collieries belonging to the regulation, and very considerably higher than the average price of coals from the collieries producing the inferior coals.

379. Are those mines in Scotland or in Birmingham, more or less expensive to work than the other collieries?—I cannot speak correctly to that point.

Mr. *Robert Clarke*, called in; and Examined.

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380. *Chairman.*] YOU were examined by the Committee in 1830?—Yes.

381. Have you acted as factor since that period?—Yes, I have.

382. You have been upwards of 33 years in that business?—Yes.

383. And you are now fully acquainted with the mode of conducting the coal business in London?—Yes.

384. Are you a member of the Coal Exchange?—Yes.

385. You stated there were 19 houses employed as factors in 1830; state how the Coal Exchange is constituted now, and how many houses there are now engaged in it?—I am unable to tell the number of houses at present, but about the same number I think.

386. State what the Coal Exchange consists of, and under what authority it is formed?—For general convenience. The coal-merchants and factors meet on the Coal Exchange, where a coal-market by Act of Parliament is established by the city.

387. What Act is that?—The 1 & 2 Will. 4, c. 76.

388. Mr. *Wason.*] Is that a private or public Act?—A public Act.

389. Who applied for the Act?—It was applied for by the city.

390. Does it constitute factors, or does it leave the trade open to anybody that choses to attend?—The factors are named in it; but the trade is open to any parties who choose to attend.

391. Have the factors any authority under the Act to meet and form committees for regulating the vend?—I apprehend not.

392. Is there not a committee of factors formed?—Yes.

393. Have they a clerk, and are minutes of their proceedings kept?—Yes; they have a factors' society, which was established in a great degree for good fellowship; they have a few rules, which simply relate to their private guidance, unconnected with any public matter.

394. As a social body?—Yes.

395. State in what way they interfere with the public sales?—When any public matter occurs in which they, as factors, can be called on to give an opinion, they meet, and come to such resolutions as the circumstances of the case may require.

396. Do you mean a resolution that shall affect the general trade in coals?—Yes; they are employed by the coal-owners or ship-owners, and it therefore becomes their duty to watch over their interests here.

397. Can any coals be sold but through them?—Yes.

398. Are the coals generally from the north sold by the agency of the factors?—In a very large proportion.

399. Are the resolutions you allude to entered in the minutes of your society, and into the book which is kept?—Yes, they are entered in a book.

400. Who keeps them?—Mr. William Brown Scott.

401. What do you mean by "any regulations that may affect the trade;" explain that by giving one or two of the regulations, if you have them?—I suppose the question alludes to a particular regulation that now exists for the regulation of the trade.

402. State how they interfere with the trade in London and the north?—Any resolution that can emanate from that society, except a particular regulation which has taken place, can only have been when they have met, for their own private guidance.

403. What resolutions have been agreed to, that affect the public, as to the sale of coals from the north?—In consequence of a complaint made by our employers, the coal-owners and ship-owners, in 1834, a meeting of the factors took place, when a resolution was passed that certain quantities of coals should only be offered for sale to support a fair remunerating price. I will read the resolution of our meeting:—

At a meeting of coal-factors, 3d June 1834, holden to take into consideration a communication from the coal-owners, the following resolutions were come to:

That the factors being desirous of meeting the wishes of the coal and ship-owners to devise some plan of checking the fluctuation of prices which frequently occur by pressing sales, when a larger supply of coals happens to arrive than the actual demand of the day requires; it was

Resolved, That whenever a greater number than 80 ships reach market on any one day, the factors shall offer them for sale according to rotation of entry, and that not more than 40 of such ships shall be offered for sale on one market-day, unless the prices of best

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best coals be 20 *s.* or upwards, and in that case to be at liberty to sell such further number of ships as each factor may judge proper, giving to every vessel with the same coals her fair and regular turn of sale; by which arrangement the ships will experience little or no detention, and the evil will be avoided of pressing for sale at a reduced price a larger quantity of coals than the average demand of the market requires.

Resolved, That the factors shall make a return at three o'clock every market-day of the number of ships of the various descriptions of coal that were in their hands for sale, and the quantities of each sort of coal sold, with the prices thereof, which returns shall be summed up by the clerk of the Night-office, and forwarded every market-day to the Coal Trade-office at Newcastle.

Resolved, That with the view of affording every information connected with the state of the market, and the probable demand for coals, the chairman or secretary shall officially communicate to the Coal Trade-office at Newcastle the sentiments of the factors on that head every alternate Thursday, and oftener should circumstances require. Copies of such communications and returns being duly entered in a book to be kept for that purpose.

Resolved, That the foregoing resolutions be laid before the coal-owners for their concurrence, and in the event of such resolutions being approved of, the coal-owners be requested to endeavour to obtain also the sanction of the ship-owners to the same.

These resolutions were increased on 30th January 1835, to 21 *s.* as a minimum price.

404. Was this come to by an unanimous vote, or how many of the factors concurred?—I apprehend all concurred who were present, because none signified a dissent to it.

405. You have stated "it was to meet the wishes of the coal-owners and ship-owners?"—Yes, it was.

406. State in what way their wishes were communicated to you?—Partly in conversation, and partly in writing; there have been continual complaints from the north of the fluctuations on the market.

407. Complaints from whom?—The coal-owners and ship-owners; they have frequently called on the factors to devise some remedy; the answer of the factors was, that in a market so constituted as the coal-market, which was either very much fed by favourable winds, or the supply kept back by unfavourable winds, that the article must continually fluctuate in price. It was then stated that without the countenance of our employers in such a plan as we might feel it in our power to chalk out, it would be impossible for us to devise any plan; they after that asked us to devise a plan, and we suggested or submitted to the coal-owners the plan which is now before the Committee.

408. What answer did you receive?—That they approved the proposed regulations.

409. Did you receive that from the coal-owners?—From the coal-owners in the first instance, that they approved of the resolutions we had adopted, and they would do all in their power to obtain the concurrence of the ship-owners in the north, and which concurrence they immediately afterwards obtained.

410. In what way obtained; do you know?—Some by letter and some verbally; but Mr. Scott, who, I understand, is likely to be brought before your Committee, will bring up any letters we may have received on the subject.

411. State why the number of 40 ships was agreed to by the factors, and the price limited to 20 *s.*?—Forty was the smallest quantity that was considered likely to continue to be sold without bringing up the price to 20 *s.*, supposing the price antecedently to have been below 20 *s.*, and 20 *s.* was the lowest price at which, under any circumstances, it was found coals could be brought to market to yield a very moderate profit to the ship-owners bringing them.

412. How were you able to judge of 20 *s.* being a moderate price; had you any data or ground for that?—The then price of the coals in the north, and the rate of freight at which ship-owners said they could bring the coals to market.

413. Are not the ship-owners divided into two classes, some who freight the ships and others who purchase?—Yes.

414. Which of those do you allude to?—To both; in either case their interests will be the same, because the lower the price of coals, the less freight they would receive. If a cargo was brought at 20 *s.* on their own account by the ship-owners, it was then calculated to yield a sufficient freight; if it was chartered by the coal-owners, the coal-owners would give an equivalent rate of freight, and then it would bring it to the same result.

415. In the price that was stated by you, did you particularly keep by the Tyne and the Wear, or those places that were under the regulation, or did you look to Stockton

Stockton and Tees, where there was no regulation?—This was taken on the best price of the market at the day, and of the leading Sunderland Wallsend coals.

416. If this is taken at 20*s.*, supposing a large portion of the coals to be second or inferior coals, how could the supply of the inferior coals be regulated, when you fixed the price only of one kind, the best?—The prices of the best in a great degree regulate the prices of the inferior. Many of the latter, I dare say, at the time came on freight, and those that came on their own account would, in all probability, yield a very good freight.

417. That is not the question; you have stated the price is fixed of the best coals; as coals of different qualities come to the market, and, as it is alleged, a large proportion of inferior coals, how did you regulate the proportion of the ships of the inferior as compared with the better coals?—We took the first 40 ships that were entered at the office at Gravesend.

418. Are, by the law, ships entered as they arrive?—They are not by law, but by regulation.

419. Is there one general register?—Yes.

420. Who keeps that?—An officer appointed.

421. What is he?—The night-officer at Gravesend.

422. By whom is he appointed?—By the factors, but the owners of the cargoes are charged for him.

423. How is he paid?—By a salary.

424. To whom does he report?—To Mr. Scott.

425. He is appointed by the factors, paid by the owners of the cargoes, and reports regularly to you?—He is paid by the factors, and reports to the factors.

426. Is there a special fee for that purpose?—We charge so much a ship for the purpose of paying him and for the other expenses of the Gravesend Night-office.

427. Is there any fixed sum paid?—It is 2*s.* 6*d.* a ship.

428. The register you allude to is the register kept by him?—Yes.

429. State how you take the different ships?—We take the first 40, whether they are the best or second coal, and offer them for sale.

430. Supposing they should all be the second coal, or only one of superior coal, would not that be, in fact, driving up the price by one ship to 21*s.* or 22*s.*, and thus tend to limit the quantity for a considerable time of the other coal which the public wanted?—It would have the contrary effect; because if such a circumstance was to occur, it would immediately, on the following day, let in a larger quantity of coal, which would cause a reduction of price again. This, I believe, you will perceive by the scale which I have here.

431. State what takes place if the price of the best coal advances?—Since my former answer with the first resolution, I find that, on the 30th January 1835, the scale was altered, so that the minimum price was 21*s.* instead of 20*s.*, and therefore, when the price of the best Sunderland coals has been on the previous market-day, 21*s.* or less, the number of cargoes to be offered for sale shall be 40; when 21*s.* 3*d.* or 21*s.* 6*d.*, 50; 21*s.* 9*d.* or 22*s.*, 60; 22*s.* 3*d.*, 70. The above regulations do not limit the number to 70, when circumstances justify the expectation of a demand.

432. Will you produce that resolution?—Yes.

433. Your object, by the second resolution, is to keep the best coals always at 21*s.* or upwards?—Yes, because 21*s.* was the minimum price at which it was found coals could be afforded, under any circumstance, to be brought to London; and 22*s.* 3*d.* was assumed a sufficient allowance in price to compensate for winter voyages.

434. You took the data as to the remunerating price from the information which the coal-owners gave you?—Yes. I wish to add, if there is any frosty weather, or any accidental circumstance which increases the demand, there would be a meeting held by the factors, who would instantly offer for sale such quantity as the exigencies of the market could require. On the 7th of January 1835, they offered 100 for sale, although they could only sell 82, because of a frost. On the 21st of January they offered 120, and could only sell between 70 and 80, and would have issued any quantity required. It has never been their object to keep back a supply, but only to prevent the great fluctuation of the prices, which was ruin to so many persons concerned.

435. Your resolution is, whenever a greater number than 80 ships reach the market on any one day, the factor shall offer them for sale according to rotation

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of entry, in the proportion of 40, when the price is 20 *s.*?—The second resolution of the factors fixes the minimum price at 21 *s.*, to offer 40 cargoes, say January 30th, 1835.

436. Supposing a fleet of 300 to arrive, and the price to be 21 *s.*, what would they offer?—Forty.

437. Suppose my ship to be the 50th, and I wish to bring it to sale, and did sell, as I can sell without the intervention of a factor if I please, what would be the consequence of my doing that with regard to my turn of loading in the north?—Mr. Scott would be directed by the factors to report that such a ship had violated the regulations.

438. Which regulations?—Those the coal and ship-owners had concurred in.

439. What would be the result?—That would be in the breast of the coal-owner.

440. Do you recollect, in November last, that a ship, named the Olive Branch, sold out of her turn?—I know the ship; but I do not know the details of the transaction.

441. Was it reported by Mr. Scott to the committee of coal-owners?—Yes.

442. And are you aware she was prevented from getting a cargo?—I have no doubt, if she was reported, she would be prevented getting a cargo.

443. Would not such a resolution on the part of the factors and owners, drive me, if I was a ship-owner, from the coal trade?—A great many continue in the coal trade notwithstanding these regulations, and are willing to submit to them, as they ensure steady prices.

444. Supposing I do not wish to accede to the regulations, and am refused a cargo by the society in the north, what am I to do?—There are plenty of other places you can go to to load coals, which are not included in the regulations, and there are ships that do carry those coals that are not so included.

445. Are you aware that, of all the collieries in the three districts, there are only 10 not within the vend?—That is most likely to be so, because they all find it to their interest to come into it.

446. Must they not go, then, to one of these 10 collieries?—They may go to one not within the regulations.

447. I wish to know whether any of these 10, or what proportion of them, supply coals of the best quality. There is on the Tyne the Townley Glebe colliery?—That is inferior.

448. Kibblesworth?—Inferior.

449. Stormont?—That is inferior.

450. Leazes?—That is inferior.

451. Medomsley?—They have different kinds of coal; some they consider the best, I believe.

452. Lanchester?—That is part of the same concern.

453. There is on the Wear, Haswell colliery; what quality is that?—The best coal.

454. Urpeth?—Inferior.

455. On the Tees there is the West Hetton, what coal is that?—They are a second coal.

456. And the Chilton?—Inferior.

457. Hartlepool, there is only one, the Thornley?—That is a coal opening out, and I do not know exactly what it is.

458. Then, from your statement, there is only the best coal in the Medomsley and Haswell?—Yes, unless Thornley be a best.

459. The others are all inferior?—Yes.

460. So that, in fact, I should be deprived of getting the best coals, except at those two places?—I think there must be some other collieries on the Tees besides those you have enumerated not in the regulation.

[*It was here remarked, that the paper delivered in by Mr. Brandling was imperfect.*]

461. Mr. *Lambton.*] Have the resolutions you have alluded to raised the prices permanently to the London consumer?—I think a little; but it has kept them so generally equal, that the public, on the whole, is benefited. I have some papers which will show the effect of the resolutions.

462. *Chairman.*] Are you aware that there is an Act of Parliament, enacting, that a refusal to sell coals at Newcastle shall subject the coal-owners to a penalty of 100*l.*?—Yes, an Act called the Turn Act.

463. Do you believe, notwithstanding that, if a ship evades your regulations, that

that they will refuse to supply her or load her?—They will supply her with coals; but they may supply her at what price they please; they would not lay themselves open to the penalty.

464. Do you suppose in that way the penalty is evaded, or how otherwise could the penalty be evaded?—I have never heard of the penalty being sued for but in one case.

465. What case was that?—The attempt was lately made by a party who never brought it to trial.

466. What steps were taken?—I know no further than that a ship-owner threatened to bring an action against the parties, but the matter never came to trial.

467. What was the name of the party?—Young.

468. Where does he reside?—I fancy in the north; his ship is called the Eliza.

469. Mr. *Humphery.*] If a man had gone out of his turn, and if he went afterwards to any of the officers in Newcastle, would they charge him a price that he could not possibly get any remuneration in London from?—That would be in their own breast.

470. But would not that be the case?—Most likely it would.

471. *Chairman.*] Do you know any instance of a vessel that had violated the regulations where a large price was charged, and so great that they could not afford to load?—I do not know of any such case.

472. It is stated in these resolutions that a book shall be kept, and the secretary shall officially communicate to the Coal-trade office at Newcastle the sentiments of the factors on that head every alternate Thursday; what is "that head?"—The resolution is "with a view of affording every information connected with the state of the market, and the probable demand for coals, the chairman or secretary shall officially communicate to the Coal-trade office at Newcastle the sentiments of the factors on that head every alternate Thursday, and oftener should circumstances require; copies of such communications and returns being duly entered in a book to be kept for that purpose." "That head" should therefore have been "those heads."

473. Are the Committee to understand that that has reference to keeping the price up to 20*s.* and keeping the supply regular?—To the general state of the trade. It is to give them the state of the market, and that will be evidenced by the fall or rise of the prices.

474. Mr. *Wason.*] Had you the assistance of a lawyer in drawing up that document?—No, it was drawn up at a public meeting of the factors.

475. *Chairman.*] Since you were last examined the law has altered the mode of sale from measure to weight; will you state what in your opinion has been the effect of that regulation?—I was not aware that I was likely to be examined on that subject, and I have not made myself master of any facts on the subject, but coals have been cheaper since then.

476. You can tell whether there has been less fraud. The object was to secure to every purchaser what he purported to buy; are you able to state from your knowledge whether the complaints have been less, or facility of detecting of fraud on the consumer has been afforded?—We sell the coals to the buyers, and we know nothing of any complaint that may exist beyond our own vend as factors.

477. Mr. *Pusey.*] Who do you call the buyers?—The coal merchants.

478. *Chairman.*] Are you able to state whether the consumer obtains more now than formerly?—The consumer in former times used to obtain an ingrain, which by the alteration from the measure to weight he lost the benefit of.

479. Is that ingrain allowed by you in selling to the merchant?—No.

480. How are they now weighed?—By a certain machine, under the superintendence of meters or weighers.

481. They are actually sold by measure?—No; weighed.

482. By whom are the weighers appointed?—By a joint committee in the coal-trade.

483. Explain what the joint committee is?—Nine factors and nine buyers.

484. Nine coal merchants and nine factors?—Yes.

485. When were they appointed after the Act passed?—Immediately after the repeal of the Act, when coals were sold by measure.

486. That was one of the first measures that took place?—Yes; may I state how that happened?

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487. Yes; state what takes place from the time the factor sells them until they come to the consumer?—I can only state how they are delivered by the factor to the merchant. When the Bill, substituting weight for measure, was passed, all the meters' establishment under the city of London ceased; the trade found the difficulty that would exist, and they were anxious Mr. Frankland Lewis should embody in the new Bill the continuance of a meter establishment; his answer was, they must do the best they could for themselves, and find a remedy for any evil that might exist. In consequence the different branches of the trade, that is, the coal merchants and the factors, as agents of the coal-owners and ship-owners, met together, and as it was found impossible to carry on the trade without the establishment of an office of the kind, and in order that everything might be fairly conducted between the two branches, an equal number formed a committee, and from that committee emanated the existing establishment of coal-weighers.

488. Have they any regulations or rules for their conduct?—Yes, for the guidance of the meters' conduct.

489. Have you anything to do with the payment of fees to the city?—No, but with dues.

490. How do the city obtain their fees?—The factors or agents pay the city due of 1 *s.* 1 *d.* per ton.

491. For what?—The corporation is empowered to levy it by 1 & 2 Will. 4.

492. Mr. *Humphery.*] On what data do you pay that; from the meters' list or from the imports at the Custom-house?—On the certificate from the north.

493. Thirteen-pence per chaldron or per ton?—Thirteen-pence per ton; and the Act of Parliament prescribes, before the ship shall be entitled to break bulk, that her papers shall be exhibited to the clerks of the market, and the city take the 1 *s.* 1 *d.* per ton by the certificate before the agents are allowed to unload the cargo.

494. *Chairman.*] You, in fact, pay that amount?—Yes.

495. And except that, the city have no claim on any account?—None.

496. And no interference with the meters or weighers?—No.

497. Nor with the register, nor any transaction with the coal?—None; they have a power under the Act, if they are dissatisfied by anything they may see going on, to stop a ship before they will allow her to break bulk under her certificate, and to send down a weigher to weigh those coals.

498. Have you ever known that done?—No; we have heard complaints made of a discrepancy in the delivery of coals; but it has been found, on the whole, in favour of the city, so that they never would institute any inquiry into it. The factors offered, if the corporation could get the Act of Parliament at all altered, that they would be very happy to furnish the corporation with any documents they thought fit to require, or to pay them, either on the certificate of the coal put on board the ship, or on the quantity of coals actually delivered.

499. Then by the change which has taken place, the ingrain has been saved; is that a saving to the coal-owner, or to whom?—It can hardly be called to either, as the price is abated, and now a man buys a bare ton of coal and he gives less for them.

500. Then we are to understand that five per cent., or ingrain, has been lost to the consumer?—It is apparently lost to the consumer, but in reality not, as the price paid is so much less.

501. Will you explain what change has taken place by the ingrain formerly allowed to the purchaser being taken off?—It takes place in the price of the article; a man, by being a buyer of a ton of coals, pays less for it; if he had a proportionate quantity given in, he could afford to give a little more for it.

502. Since the duty was taken off do you think the public have had, by the reduction in the price of coal, the full benefit to the amount of duty taken off?—I should think so; that is simply an opinion, without any data to go upon; but that is the general impression in the trade.

503. What is the credit the coal-owners in the north give to the factors?—They draw on them for the cargo at 40 days.

504. Is that the general rule?—For some large cargoes at 60 days, and generally from Sunderland at two months.

505. What is the credit to the buyers?—Some coals are paid for one-third by a note or bill at 60 days, one-third on delivery of the ship, and one-third a week after.

506. So that all are paid by the time the factors have to pay the coal-owners?—No; because the terms of payment by the buyers are frequently not adhered to.

507. Mr. *Ingham.*] The coal-owners from the north draw from the date they are put on board?—Yes.

508. Are we to understand the coal buyer pays for the coal by the time the factor has to pay the coal-owner?—They are totally unconnected circumstances.

509. When the owner of a cargo ships his cargo in the north, he draws for the cargo at 40 days?—Either at that date, or 60 days, or two months.

510. The factor accepts at that date?—Yes, and he makes all the advances on that cargo.

511. Suppose when that bill comes at maturity he has not been able to realize the proceeds of the cargo, does he nevertheless honour the bill?—Yes, he does.

512. It may happen that he is to pay the coal-owner in the north before he has received the proceeds of the ship?—Frequently; the moment the ship is delivered, the factor, without waiting for any payment from the buyer, transmits the account of the sales down to the north with his note for the balance, or pays it to the agent in London either in bills or in cash, according to the arrangement which may exist between the owner of the cargo and himself.

513. Mr. *Humphery.*] The coal-owner does not draw for the full amount of the cargo, does he?—Yes, he does; the ship-owner or coal-owner, whoever the cargo may belong to, generally draws on the factor.

514. *Chairman.*] How are the factors paid?—By the coal-merchants, in the way I have stated.

515. Do the factors take the risk of the coal-merchant?—Yes.

516. How are the factors paid, are they paid by a per-centage on the amount of sale?—Half per cent. *del credere* commission, and their factorage, 3*d.* per ton.

517. Mr. *Ingham.*] You spoke to the payment to the city of London; is that part of the orphans' dues?—What was formerly called orphans' dues forms part of the charge.

518. Mr. *Chapman.*] In the course of your long experience, have you found that the coal trade was at some times over supplied by ships coming in large fleets?—Yes, frequently.

519. The prices of course fall on a very large supply?—Yes.

520. Do they not on the next market-day, when the remnant of the fleet come up, generally advance?—In former times they used.

521. One or two shillings a chaldron?—Sometimes very little, according to circumstances.

522. Was it generally the practice for the buyers to give something more when the stragglers came up at the latter end?—That must have arisen from particular circumstances at the moment, which I could not pretend now to recollect. It often used to be said at that time, when large fleets had come up, the public had bought so freely from the buyers, that the buyers were constantly obliged to make up their extra sales on the following day, even although they bought at a certain loss to themselves, but nothing like 2*s.* a chaldron.

523. Was it the impression on your mind, then, that the latter price was doled out to the consumer?—I have never thought about that; my previous answer states the probable cause which existed for such advance in price.

524. Is the supply so great that the Pool is filled with ships as much as it can be?—There has, ever since 1834, always been such a quantity of coals resting in the ships, waiting for an opportunity of being sold, that would have supplied the public some considerable time; but by the present regulation of offering only a certain number of cargoes each day, the Pool is kept comparatively open.

525. Is the impression on your mind, there is lying in the middle of the river craft full of coals now?—I really do not know.

526. Is it not the interest of the sailors, the captains, and owners, to make as many voyages as they can?—Certainly.

527. Therefore any regulation that would materially affect them they would remonstrate against?—I should think so, or they would meet it by a different mode of shipment.

528. Has there been any remonstrance or complaint on the part of the captains?—We, as factors, do not know of them.

529. Have you heard of such things?—The trade has always been in complaint ever since I have known it.

530. Mr. *Humphery.*] Supposing there was no arrangement at the further end, and

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and you had no power of keeping the ships out of the market, and anybody might come in and sell, do you think you would ultimately be able to vend more coals than you now do?—Certainly not; anybody may now come in.

531. Mr. *Chapman.*] In delivering the coals, are the craft of the coal merchants generally filled as much as they usually were before this regulation?—There was a regulation between the factors and coal merchants, made at the time of the introduction of weight, so as to prevent any more than certain quantities being laid in certain rooms of the barge, by which means the public could always tell that there was a certain quantity in a given room.

532. *Chairman.*] Is there not also a regulation that a given quantity, 49 tons per day, shall be unloaded; and provided 49 tons are taken out of the ship, she shall not be considered as on demurrage?—Yes.

533. By whom was that regulation made?—By the trade at large, the coal merchants and the factors; before this took place, under the old Act of Parliament, a quantity of 42 chaldrons per diem was required to be unloaded; when the alteration took place from chaldrons to tons, the trade met to consider what would be the nearest proportion to the 42 chaldrons, and it was considered 49 tons would be the best quantity to adopt.

534. Mr. *Chapman.*] Was there not great fluctuation in the course of your experience in the price of coals previous to this regulation?—At all times there have been great fluctuations; at the very time this alteration took place from measure to weight, all the parties who came here and paid the duties on coals until the 1st of March 1831, came to the market and got a low price; and on the 1st of March, when the coals came here without a duty, they got a higher price than those coals which had paid the duty.

535. Was not the price higher in winter formerly, and lower in summer, in proportion, than it is now?—Certainly.

536. Do you not imagine that the poor people who have no capital, and are unable to lay their coals in in summer, have benefited by this regulation?—I should think there is always such an abundant supply of coal in the market now, that the poor always get their coals on good terms.

537. *Chairman.*] Is not the trade much more regular, that is to say, there are fewer very large fleets coming in than formerly?—Yes.

538. Has not the facility of getting out of the river by steam made the coal trade much more regular?—Yes, out of the river Tyne; for now loaded ships can get to sea by steam, when formerly they used to have to lay for a fair wind, or the sea to fall on the bar.

539. By which means the market is more equally supplied?—Yes, and most abundantly.

540. I see by your evidence in 1830 you state the hours of selling coals were limited from one to three?—Yes.

541. And during that time great press of course took place respecting it?—Yes.

542. Does that continue now?—Yes; we were obliged to adopt the same hours again, to suit the general convenience of the public of London.

543. Does not the same inconvenience arise which you state to have taken place then, from the eagerness and rush of individuals to buy, the hours being so limited?—No; because by selling a smaller quantity they supply their regular wants, whereas before they had to purchase large quantities, in consequence of the irregularity of the ships coming in.

544. Then, in fact, the *bonâ fide* purchases are more regular than formerly?—I think so.

545. Mr. *Humphery.*] Is there no difficulty in any person buying coals, from the market being held for so small a time?—No; the market is open for the sale of coals from twelve to half-past two, and to every one, to sell or buy.

546. *Chairman.*] Do the factors limit the hours at which they sell cargoes?—I cannot answer that question directly, without its being misunderstood; they are obliged, for the general convenience of the parties concerned in the trade, to name certain hours for the market, from twelve to half-past two. In that period of time anybody may buy a whole cargo, or any part they please. Should circumstances occur after half-past two, that anybody wants a cargo, they can make a bargain for the next market-day, as we are not restrained from selling from one in the morning until twelve at night, if thought right so to do.

547. Mr. *Humphery.*] Supposing the 40 ships are sold by half-past one, you have then no more to sell for that day?—No; but the flatness of a market which would

would restrict the quantity to 40 only, would render the early sale of that quantity highly improbable.

548. Although you have more in the Pool for the next market-day, you cannot sell for that day?—No.

549. But you may sell a man a cargo for the next market-day at any time?—Yes; the reason why more than 40 is not sold, is because the price is so low, and because there is no compensation for the ship-owners or the coal-owners sending them.

550. Would not the demand be greater if there were more introduced?—The reverse; but an improving demand would enhance the price directly, and then there would be more brought in on the following market.

551. *Chairman.*] Suppose I buy after three o'clock, can I have the coals delivered until you make the report the next day?—The cargoes so sold, could be set to work on the following market morning, and would not have to wait to be reported.

552. Does not your regulation say, they shall not do so, until they are reported?—They are reported immediately they arrive.

553. Does not that report regulate the number of vessels that can break bulk?—Yes, sold by half-past two.

554. My question is, if you sell after half-past two on Tuesday, whether that vessel could break bulk, and begin delivering until she is reported the following day?—There are only three markets a week, Mondays, Wednesdays and Fridays, and therefore a cargo is not likely to be sold on the Tuesday, although the Act leaves us at liberty to sell when and where we please. The convenience of the parties concerned in the trade, required the market-days should be only as at the corn-market, and exist on certain days, because the merchants want to go to other places for the sale of their coals, or for orders to buy.

555. On a purchase made at three o'clock on Wednesday, when should I be able to break bulk?—Friday morning.

556. Why not on Thursday morning?—The factor would not sell them under those circumstances, because he would violate the regulation.

557. How do you reconcile that with the statement, he can buy at any time?—He can buy at any time, but the factor will make that a part of the bargain that he will sell to have them delivered according to the regulation.

558. Although he may make his agreement, he cannot have the goods delivered, until by the regulation the sale of the cargo has been made, and he comes within the regulation?—Yes, that is so; let me add, it is not probable this circumstance will occur, because when the trade is in that dull state, and we cannot get a fair remunerating price for the coal, it is not likely purchasers will be so anxious to come and make purchases when they do not want them.

559. Mr. *Humphery.*] Suppose I should come to the market and wishing to buy 50 tons of coals on the Friday, and I happen to get there half an hour too late, say three o'clock, I am anxious to get them on the Saturday, you sell me 50 for the next market-day, shall I be able to get those coals before Tuesday?—Yes, you will be able to get your 50 tons by the Monday.

560. Can I break bulk before market commences on Wednesday?—Yes, they will appoint a meter for you.

561. *Chairman.*] Why not on the Saturday?—Because the factor would not depart from the regulation.

562. Is not the factor's refusing to do that an inconvenience to the public?—I do not think the public ever sustained any inconvenience by it.

563. Suppose Saturday happens to be an open day, and Sunday and Monday a frost sets in and continuing for a week, would not that prevent the delivery for a week?—I apprehend not, because no frost could be intense enough to make that alteration in the river in one day; if at any time there was to be any apprehension from the effect of the weather, there would be an instant meeting of the factors, and they would depart from the regulation altogether for the time being.

564. You have mentioned a meter would be appointed on Monday; suppose the purchaser chooses to take the certificate of the quantity shipped, without meting in the river, would he receive them immediately?—Yes, the next hour, if he liked it.

565. Then it is for the meterage that the delay takes place?—Yes, but few

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parties would buy a cargo without being weighed, and it is obvious a purchaser of a part could only ascertain his quantity by its being weighed.

566. Can you suggest to the Committee any means by which the expense of coals may be reduced, or facility afforded to the trade?—No.

567. You have stated the existing state of the trade, the mode adopted of selling from the coal-owners, and by the factors to the coal-buyer; is there any part of the process that now goes on, as to which you can make any suggestion that would tend to lessen the expense?—As far as the factors are concerned, the charges are very light, they have only to account to the city for 1 *s.* 1 *d.* a ton, and that is the only municipal charge they pay.

568. The question refers to freight, as well as other matters?—I fancy the competition among the ship-owners is so great, that they all go as low as they can.

569. Can you suggest no alteration?—No.

570. You have given your opinion that the regulation now existing does not, on the average of the year, tend to increase the price very much?—I believe it tends to the benefit of the public by insuring them a constant supply at a reasonable rate.

571. Mr. *Ingham.*] State why?—Because it prevents that fluctuation which dissatisfied everybody; in former times the coal-owner sent his coals here on his own account, calculating the price to be obtained would bring him home for the charge of those coals; he came to the market, found the market inundated, such was the anxiety to sell to get dispatched, that coals fell to such a price that he lost a considerable sum of money. Again, the ship-owner, under similar circumstances, pressed forwards to a sale, and he lost a considerable sum of money. Another branch of the trade complained, by forcing a quantity of coals into their hands, they were the holders of coals at their own risk, and subject to a very great loss, instead of their remaining in the hands of the coal-owners or shipowners, which they would do if the quantity sold on the market-day was less.

572. Mr. *Humphery.*] As to the alteration from measure to weight, do you think it has made any difference in the coal that comes to London; is there not a greater quantity of small coal come to London now?—We hear more complaint about the best coal now, than when they were measured.

573. *Chairman.*] Is there not more small or screened?—Does the question mean the best coals do not come as good as they used to do?

574. Yes?—I have heard so; and I have heard many buyers make that complaint.

575. Mr. *Humphery.*] Can you account for the change in that respect?—It is very likely they are not so much screened as they were.

576. *Chairman.*] Has any alteration taken place in the relative prices of the different qualities of coal?—They have been subject to great fluctuations in that respect, according to the supply.

577. How do you explain that; is there a greater demand now for the best quality of coals, than there was formerly?—I should rather say there must be a greater demand for inferior coals; the household coals of London are chiefly the best coals. The manufacturers of London have been in a very flourishing state within the last year or 18 months, and have consumed a vast quantity of coals; many of the best coals will not suit their purposes; and there is a great increase in the consumption of gas coals.

578. Mr. *Humphery.*] Supposing there should be such a diminution of vessels arriving that you could not sell 40 for any period together, when a fleet came in would you be allowed to make up the deficiency that had arisen in the previous days?—That is not likely to be the case, if the demand is so languid you cannot sell 40 in a day.

579. The question is, supposing they were not in the river, but you could have sold them if they were there?—The scale of prices regulates that directly.

580. Supposing from the effect of an easterly wind, there should not be 40 ships in the Pool to offer for three successive markets, would you be entitled to offer a greater number than the 40 when the fleet arrived?—We should have a special meeting, and we should instantly issue a quantity that would be more than equal to the demand of the day.

581. Leaving the price out of the question, would it come under the cognizance of the committee to make up the quantity, supposing the prices to remain the same?—It would advance the coal directly, if London was to become bare of coals to such an extent that the factors would be called on to bring a large quantity into the market the moment the supply arrived.

582. *Chairman.*

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582. *Chairman.*] Supposing a brisk demand in the market for the best coals, and a subsequent supply of inferior coals, although there may be many cargoes of the best coals in the Pool, what would you do in that case?—We should get a high relative value for the inferior coals.

583. Does not the regulation you have adopted tend to give an artificial price, as they may be in demand or not?—Without the regulation, that difficulty existed.

584. Supposing the coals in the river, would they not be supplied according to the demand which your regulation now prevents?—I apprehend if that kind of case was to occur, the parties would buy very sparingly, and wait for the arrival of the larger quantity; it would advance the proportion in a little degree.

585. Have you lately received any coals from Scotland, or from Whitehaven, or any other place?—There are a few coming from time to time; more from Scotland than from the western side.

586. Why do not more come in from Scotland?—They charge too high a price in the Frith of Forth for coals.

587. Mr. *Lambton.*] How much coal comes into London, with which your coal-factors' society has nothing to do?—About a tenth passes the market, with which we have nothing to do.

588. *Chairman.*] Do they ever arrive from Scotland to the amount of five or ten vessels a day?—I do not know; I apprehend they may occasionally.

589. Supposing 15 or 20 vessels should arrive from the north, would they be sold by you in the same manner as the coal from Northumberland?—Most likely; but some might not have to wait.

590. Would they be included in the number of 40 ships, or would you sell them over and above the 40 ships?—There are a number of ships which are daily admitted to sale, exclusive of those that are coming immediately under the regulation. Those coals bought by the gas companies in the north, and freighted by those companies, and brought to London, are entitled to a preference.

591. Are they included in the 40?—No.

592. The 40 are intended for the regular consumption of London?—Yes; and the vessels delivering their coals for Government also come into the market. All vessels under 131 tons, after lying one market-day, are sold, although they might have to lie a week if they took their regular turn.

593. Any other exception?—Yes, all coals from Wales. And any vessel in distress would be entitled to come in at once, and on a special representation of any particular vessel being wanted for any extraordinary purpose, they would either have the permission of the factors to unload the whole or part of that cargo, although out of turn; or else they would unload them, and take the chance of making a satisfactory explanation afterwards.

594. Mr. *Lambton.*] Am I to understand, from your experience and knowledge of the coal trade, if the regulation in the north and the coal-factor regulation were done away, the London consumer would not get his coal permanently cheaper?—Certainly not; when I say cheaper, I mean not of any consequence, and much more likely to be dearer in the end.

595. Mr. *Pusey.*] Do you take into consideration in your answer the amount of rent and wages, which is contained in the price of coals?—The coal-owner takes all those things into his consideration before he sells his coals at a certain price.

596. If that was diminished, then do you consider the price of coals would not be lowered?—Everything that will diminish the price at which the coal-owner can sell will benefit the consumer here.

Mr. *John Buddle*, called in; and Examined.

Mr. *John Buddle.*

597. *Chairman.*] YOU were examined before the Committee in 1830?—I was.

598. Have you been long acquainted with the coal trade?—I have; I have been brought up in it all my life.

599. You are acquainted with it in all its departments?—Yes, from digging in the mine to shipping the coals.

600. Are you not called a coal-viewer?—Yes.

601. What is, strictly speaking, the duty of a coal-viewer?—I should, perhaps, best define him by calling him a coal-mining engineer.

602. Is not everything connected with the working and management of the

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mines under your department?—Everything, from the valuing of an unlet field of coal to the letting of it; the draining, digging and working of it, and conveying the coal to the ship.

603. Have you brought any documents here?—Yes, I have some documents to explain any matter that I may be interrogated upon.

604. Have you a printed copy of the regulations of the coal trade?—I have. [*The Witness handed in the same.*]

605. Have you a monthly account of the rate of vends issued by the committee under the regulations from 1827 to 1836?—I have. [*Hands in the same.*]

606. From what documents do you take this?—It is copied by the clerk in the Coal Trade-office from the books in the Coal Trade-office.

607. Have you another paper, headed "The Basis of the Three Rivers; the Tyne, the Wear and the Tees," and the monthly issues in 1835?—I have. [*Hands in the same.*]

608. Have you a list of the collieries that are in the vend?—Yes, and that is the monthly issue. [*Hands in the same.*]

609. Where is this taken from?—That is also taken from the books in the Coal Trade-office.

610. Are these the only collieries not included in the vend; six in the Tyne, two in the Wear, one in the Tees and Hartlepool?—Yes.

611. Will you state when the Tees joined the regulation, as it appears by your evidence in 1830 it had not then joined?— ————

612. Have you got an account of the vend from the Tyne in April and May, 1836?—Yes. [*Hands in the same.*]

613. Why was this prepared?—It is merely to show the quantity issued has not been vended; that is, that the trade has not been able to take off the coal allowed to be issued by a very large quantity in each month.

614. Have you a document showing the price of coal on the Tyne in 1829, 1832, 1833, 1834, and up to 1836?—I have that document. [*Hands in the same.*]

615. Why is not 1830 and 1831 included in that?—Because I believe the prices continued in those years the same as they were in the preceding years.

616. Do you mean to state that in 1830, which was a time when the trade was open, the prices remained the same as during the previous years of the regulation?—I have no return of 1830, and great quantities of coals during the open trade were freighted, and we had no standard price.

617. Where did you get the materials for this document?—From the papers in the Coal Trade-office.

618. Are there no papers in the Coal Trade-office during the years 1830 and 1831?—It is possible that there may be, but I have not had an opportunity of referring to them.

619. Have you 1833 included in that?—Yes.

620. The answer you gave before was this: that you could not give the price for 1830 and 1831, because they were times of open trade; and yet you give an account for 1833, which was a period of open trade?—It is according to the way I have the returns, but I can explain it in this way: I have only taken the best coal on the river Tyne as the scale of comparison. I have taken the Bewicke Wallsend, which, under an open trade, settled itself down to 9*s.* 0½*d.* per ton; when the regulation took place in 1834 they continued at that price, or a small advance of 1*s.* per chaldron or 4½*d.* per ton took place, and this is the price of only that one particular class of coals.

621. Have you got the present selling price from the three rivers?—Yes; I have put them down both in chaldrons and tons. [*Hands in the same.*]

622. Do these give the whole of the collieries?—Yes.

623. Are these the prices on board ship?—Yes.

624. Can you state the prices as to those which are not within the vend?—No, I cannot; because we have no returns made from them.

625. Have you an account of the charges on a chaldron of coal delivered in the Pool?—Yes, I have. [*Hands in the same.*]

626. Have you the vend of coal from the river Tees from 1827 to 1835?—This document has been put into my hand, and I perceive it shows the difference between the regulated trade and the open trade, and it is rather singular that it shows a less vend during the open trade than during the regulated trade. [*Hands in the same.*]

627. From what is this document made up?—This is a document returned to me

me by the secretary of the Tees, who keeps the accounts, and he has all the returns of vend sent to him. Mr. *John Buddle.* 15 June 1836.

628. What is his name?—Mr. Thomas Storey.

629. Have you a document headed, "Estimate of Interest"?—Yes. [*Hands in the same.*]

630. What is that an estimate of amount of?—It is an estimate of the interest required to redeem a capital sunk in the fitting out of a mine within the period of its lease; taking two periods, one of 31 years' lease, and another of 21 years' lease.

631. Have you any other document?—I have another document stating the annual increase of importation of the first and second class of coals into London for the last six years, with the new collieries that are opening out, to show the increase of supply which in a short period will be afforded to the market by collieries at present in direct communication with the shipping place. [*Hands in the same.*]

632. Would you call that the prospect of supply?—Yes.

Jovis, 16° die Junii, 1836.

MEMBERS PRESENT.

Mr. Hume.	Mr. Hector.
Mr. Ingham.	Mr. Lambton.
Mr. Edward Curteis.	Mr. Aaron Chapman.
Mr. Pusey.	Mr. Pease.
Mr. Wakley.	Mr. William Crawford.
Mr. Bell.	Mr. Wason.

MR. HUME, IN THE CHAIR.

Mr. *John Buddle*, called in; and further Examined.

633. *Chairman.*] YOU have given in the articles of agreement made in November 1835 between the owners and lessees of certain collieries in Northumberland and Durham?—Yes. Mr. *John Buddle.* 16 June 1836.

634. Are we to understand that is the copy of the present existing agreement?—That is a copy of the present existing agreement on which the present regulation is conducted.

635. When did that regulation begin?—In March 1834, and that was a renewed agreement.

636. Did not the original agreement state that it should be renewed from year to year, unless the parties should enter their dissent therefrom?—Yes.

637. Will you explain to the Committee the principle on which this agreement was formed in March 1834, stating distinctly the basis on which the different collieries were allotted the different quantities in the vend?—In order to give a clear understanding of that I must go back to the year 1829. Up to the year 1829, when regulations had to be formed, the coal-owners met, and the quantity to be allotted to each was a matter of discussion; one coal-owner claimed on an idea that his colliery was superior to his neighbours, either in quality of coal or powers of working; but the matter took a more regular shape in 1829, when it was agreed that persons should be appointed to inspect the collieries and to report to the committee their respective powers, qualities of coal, and facilities of working, shipping, &c.

638. Did that committee include the deputies or representatives from the collieries of the Tees, or was it only from the Wear and Tyne?—Only from the Wear and Tyne and Hartley and Blyth, which is merely a branch port of Newcastle. Having been so appointed the committee received those reports, and in case any difficulty or difference arose, referees were appointed, and the powers of supplying the market were regulated and apportioned according to that principle. The quantity to be vended was apportioned according to the judgment of the committee assisted by referees, as to the proper quantity each should take according to his powers.

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639. Are you able to state what was the aggregate amount of power reported to the committee that the different collieries could put forth?—I am not able to state what it was at that period in 1829.

640. What then took place?—That was acted on with considerable regularity up to near the termination of 1832. In November and December 1832, certain irregularities took place, and in fact, the regulation was inoperative, although the trade was carried on under the name of a regulation, and might be considered as a free trade.

641. Do you refer to the regulation that had commenced in September 1829?—Yes; that continued in force until November or December 1832; then open trade continued from that time until March 1834.

642. What led to the dissolution of the agreement that had been formed in 1829?—From several individuals miscalculating their powers and their facilities of vending.

643. Now, during that period from 1829 to 1832, what was the relative issue in each of these years?—That I do not know.

644. During the time of the regulation, have you got it?—That will appear by the documents.

645. Do you allude to document No. 2, purporting to be "Rates of vend given out per thousand per month"?—Yes, I do.

646. This paper purports to show the proportionate quantity in each month, but not the actual quantity?—That was what was issued; but that quantity would not be vended quite, and nothing but a return of the actual vend in the year, which I do not possess at present, will show what the actual vend was.

647. Will you explain the principle on which that document is drawn up?—The basis taken is 1,000 chaldron; the issue for the month of September, for instance, was 60 chaldron per thousand on each one's basis, consequently, if my colliery was placed on a basis of 1,000, my vend would be 60; if it was 10,000, it would be 600.

648. That is, 60 on every 1,000 the colliery was allowed?—Yes, on the schedule of basis.

649. The Committee want to know what was the aggregate return of powers on which that 1,000 was made the basis?—I believe it was pretty much on the Tyne what it is at present, and the paper I have put in will show what it is now. I think the powers on the Tyne at that time would be 1,800,000 or 1,900,000 chaldrons per year, supposing the market required the full powers to be exerted, but I have not the return to refer to at present.

650. That is as to the Tyne?—Yes.

651. The Wear?—New collieries have come in since 1829, but I should think the Wear at that time would be full 1,000,000 chaldrons.

652. How was the 1,000 taken as the basis from that quantity?—The basis is merely a scale of proportion; it does not mean the basis is to limit the quantity, but if the vend would take off, instead of 60 per month, 150 or 200, it would be issued; the basis for each colliery being merely a scale of the proportion which each should take of the trade, but by no means limiting the quantity.

653. Is it the price at which they are sold in the market that limits it?—In one word, it is the demand limits the supply; because it appears in one month the market would only take 55, while another month it takes 65, 75 and 85: it varies from 40 to 85.

654. So that, although the proportion always remains the same, the fixing the basis does not limit the quantity, that depending on the price at which it can be sold?—On the price and demand.

655. That is the basis of 1829?—Yes.

656. Did any alteration take place in the basis of 1835, when the Tees, Hartley, Cowpen and Netherton joined?—A very considerable change took place with the collieries according to the altered circumstances which had taken place between 1829 and 1834; some collieries having been considered exhausted, and new collieries coming in, an entirely new arrangement of the basis took place.

657. That is to say, a new survey and report?—Yes, and a return of powers was made.

658. Are there not what you call three qualities of coals, the best, the second and the inferior?—Yes, in what we call regular classes; but there are several intermediate ones, what we may call the transition class from one class to the other, which it is difficult to define or put in any class.

659. In

659. In the arrangement which you made in 1829, did you take into consideration the proportion which each quality at that time bore in the market?—Yes.

660. Can you state, in 1829, what was the proportion of best, second and inferior?—I cannot, because I have not the papers of 1829.

661. Then, in the agreement of 1834, when there was a new report and estimate, was the proportion of best, second and inferior, also taken into account?—They were not kept distinct at all; because most of the collieries producing best coal also produce an inferior coal, a coal that scarcely ever comes to the London market, what is called the "coasting coal."

662. Then, in giving the proportion to each colliery, or the per-centage of the 1,000 to each colliery, you made no distinction as to what the qualities of the coals were, but left them to the discretion of the parties?—Yes.

663. What is the basis of 1835?—It is stated in the paper No. 3, which I have delivered in, and is called "the working basis."

664. State what are the powers on which the new basis is formed in 1833–1834, that we may compare it with the powers you have given in 1829?—I can only state it as to the Tyne and Wear at the present time. They are very nearly the same as they were in 1834. The powers of the Tyne are returned at 4,809,824 tons. The Wear is 3,314,098 tons.

665. Is Seaham included in the Wear?—Yes, Seaham is included.

666. In both cases?—Yes.

667. Do you include in that the Hartley, Cowpen and Netherton?—No, they are left out. I have the Hartley, but I have not the Blyth nor the Tees.

668. Having fixed 1,000 as a basis, have you any observation to make on No. 2, beyond that which you have stated, that the supply has never been limited although the proportion has been different?—I wish it to be distinctly understood that the quantities never have been limited.

669. Have you any other observation to make on this statement?—I have not.

670. Are the Committee to understand, then, that this statement is given in, not to show any limits in amount, but to show the proportion of the whole supply that have been vended in each month?—Yes, and which have been given out to be vended.

671. And that that proportion is made agreeable to the articles of agreement which you have given in?—Yes; that each individual coal-owner shall have a fair participation, and the utmost quantity the market will take from him, according to his quality of coal.

672. And according to the proportion fixed at the commencement of the agreement?—Yes.

673. The amount to be issued depending upon the demand and price?—The amount to be issued depending upon the demand but not on the price, because we never vary our price; we publish our list of prices.

674. Do you mean the price at Newcastle?—Yes; and the ship-owner purchasing his coal at the fitting-office has the benefit of any rise in the London market; the coal-owners have no participation in that whatever.

675. It has been stated to the Committee that the committee in the north regulates the quantity that is to be issued for sale, according to the reports received from London of the sales in London?—Yes.

676. Then the report made is of the prices at which they have been sold?—Yes.

677. I wish to know whether, in consequence of that report, the quantities are not limited or extended?—Yes.

678. Then how do you reconcile that with the statement, you pay no attention to price?—Because we do not vary our price; we sell our coal to the ship-owner, and it is of course his consideration, when he sees a list of that nature produced, to judge which coal will answer his purpose best to load.

679. Do you not, on seeing this list, increase or decrease the quantity?—Not by the price but by the number of ships at market; if there are few at market we then say the market requires a better supply.

680. Then, if it has been stated to us it is according to the price, a fresh issue takes place, whether for the best coals it shall exceed 20*s.* or be below 20*s.*, are we to understand that is not your view of it?—Partly it is; because when the prices advance in London we naturally conclude that coals are in demand, and a further supply is required.

681. But may not a great number of vessels be in the river with a high or a low

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price, and would the number of ships make any difference in the issue in the north?—Yes.

682. Would it be the number of ships in the market, or the price in the market, that would decide the issue by the committee?—I think both.

683. The price of coals up to 1829, appears by a return in the Report of the Committee of 1830; can you continue that statement, and say what the price has been in each year to the present?—I think I can; I have the list of prices as fixed in September 1829.

684. State what it was?—I will take the case of Bewicke Wallsend. In September 1829 that was 31 *s.* per chaldron, shipped on board, or not quite 11 *s.* 9 *d.* per ton; it continued the same price as long as the regulation continued.

685. Have you any in 1831?—I have not; another issue of price took place in January 1832, and therefore I presume the prices remain the same.

686. What was it in January 1832?—Twelve shillings per ton; I have also one in October 1833; it was then 24 *s.* per chaldron, which is about 9 *s.* 2½ *d.* per ton.

687. Now go to 1834?—It was 25 *s.* a chaldron in March 1834, which was about 9 *s.* 4 *d.* per ton.

688. Now 1835?—It was 26 *s.* in September 1834, when an advance of 1 *s.* took place; that would be not quite 10 *s.* a ton, about 9 *s.* 9¾ *d.* a ton.

689. Is that the last?—I believe that is the last, and that price has remained stationary.

690. This is all Bewicke?—Yes.

691. And this is all in the Tyne?—Yes; and I am afraid I have not the returns in the other river to enable me to trace it through in the same manner.

692. Has the Bewicke Wallsend continued of the same quality from the period you have mentioned, or has it deteriorated?—The same quality precisely.

693. You are sure there has been no deterioration?—I am quite sure of it.

694. Which do you consider the best coals: the Bewicke Wallsend on the Tyne or Stewart's, Lowther and Hetton Wallsend on the Wear?—I think the quality very nearly the same, but the Bewicke does not come in such good condition; not so large.

695. In point of fact does not the Wear coal sell higher in London than that from the Tyne?—They do, on account of their roundness, and coming in better condition.

696. Are you aware, while the Bewicke Wallsend coal is selling for 20 *s.* 3 *d.* the Wear coal sells for 21 *s.* 6 *d.* in London, or about in that proportion?—Yes.

697. State in 1829 whether they bore that same proportion?—I do not recollect, but I think they did; I cannot recollect at present the circumstance.

698. Are the Committee to understand if a difference in the relative value has taken place, that the deterioration is not in the quality, but in the mode of bringing the coals to market?—Yes; it sometimes happens that more or less screening takes place at the colliery, and no one coal can be sent precisely in the same state; hence it is you frequently perceive the same coal, the Stewart's Wallsend or Lambton Wallsend, fluctuating perhaps 3 *d.* per ton in price.

699. Has any difference taken place on the Tyne in the screening of coals from what existed in 1830?—I think not.

700. Has the alteration of the export duty made no alteration in that respect?—Not in the screening; but it appears to be making a great alteration in the demand, as we are certainly shipping more coals, foreign, this season than ever we did before.

701. Mr. *Pusey.*] To what parts?—To various parts, but a great deal to France.

702. To Holland?—Not so much to Holland.

703. Do you know for what purpose it is employed in France?—I do not know the exact purpose.

704. *Chairman.*] In favour of the import from England, and lessening the preference given to the Netherlands before?—Yes.

705. Mr. *Lambton.*] It is not the best coal that is sent, is it?—The quality is good, but they take the small.

706. Mr. *Pease.*] Is there any country in the world that does not import more or less at the present time?—I think every country does more or less; a great increase has taken place in steam-boat coal, which is quite a new market to us.

707. Mr. *Ingham.*] Are you aware at present the export from England is underselling

underselling those from Nova Scotia in the markets of the United States?—I am aware of that.

708. *Chairman.*] Is it not also underselling in the French and Dutch markets the coals from the Meuse?—Yes.

709. Mr. *Lambton.*] It is under the coal regulation that all this is done?—It is the small coal.

710. *Chairman.*] It used to be burnt?—It used to be burnt, and is still sometimes.

711. You have stated that the Bewicke Wallsend coal does not come in the same state as it formerly did, or the other comes better?—Yes.

712. What is the difference in the weight; does the Newcastle chaldron of Wallsend, as now delivered, weigh more than a chaldron of Bewicke?—No, we sell by weight; we sell 53 cwt. as a chaldron now.

713. Mr. *Pease.*] Although there is a measure called a chaldron, it is regulated so that it shall not exceed or be less than 53 cwt.?—The chaldron is a nominal measure, and I believe will be entirely exploded; when I say a chaldron, I mean 53 cwt. of coals.

714. *Chairman.*] I wish to ask as to the weight of coals sold at Newcastle and the price per ton, whether there is any difference in that weight and the weight by which the coals are sold in London?—They are the same.

715. Mr. *Pease.*] Is there any complaint of great loss arising in that way to the coal-owners now?—The coal-owner only feels that when he freights; the loss of weight is on the ship-owner.

716. Is there any complaint by the ship-owner as to that?—I have heard complaints, but, on investigating the subject, it did not seem well grounded.

717. Are you aware how they are weighed out in London?—I am.

718. How?—By machine on board the ship; by eight weighs to the ton.

719. Do you conceive it is possible to weigh 53 cwt. together, giving the exact weight, and then to weigh that over again in 20 different quantities, and that there should be no loss in weight?—I do not think it possible, but it is very small.

720. Does not that depend on the exactness of the weighers?—Yes.

721. Mr. *Bell.*] You stated in the year 1834, Bewicke's Wallsend coals sold at 9*s.* 9¾*d.* per ton; do you mean that put on board the ship?—Yes.

722. At the pit's mouth it would be less?—Yes.

723. How much less?—By the distance of the leading; some of the pits of the mine are within a mile and a quarter of the river, and some within a quarter of a mile; and the cost of the conveyance is very small indeed.

724. Can you state what would be the difference of the price at the pit's mouth and the price which you state on board ship at 9*s.* 9¾*d.* per ton; does that allow for fitage and agency?—No; that comes into the working charges.

725. *Chairman.*] Is that the coal-owner's net money?—Yes, what he receives from the ship-owner.

726. Mr. *Bell.*] What difference of price on ship board, and at the pit's mouth?—Very trifling; I should not suppose the lead would be above 2*d.* per ton, but that is under the particular circumstances, as the Percy main pays no way-leave; the Duke of Northumberland, who is the proprietor, has the way-leave also.

727. *Chairman.*] Each mine must differ in that respect?—Yes, every one.

728. Mr. *Pease.*] Are you aware of any mine more favourably situated than Bewicke Wallsend in that respect?—Not with regard to its above-ground accommodation.

729. *Chairman.*] How is it situated as to its depth and difficulty of working?—It is a difficult colliery.

730. At what expense can a Newcastle chaldron be brought to the surface from the cheapest mine, and at what expense at the highest mine that you know of, that is worked. State if you can nearly the net cost of production?—I should state the highest at about 23*s.* per chaldron, or 8*s.* 6*d.* per ton.

731. Can you mention any particular colliery, or only generally?—I would rather mention it generally.

732. Now state the lowest price at which the best coal can be obtained?—Somewhere about 6*s.* to 6*s.* 6*d.* per ton.

733. How much will that be a chaldron?—From 16*s.* 6*d.* to 17*s.* 2*d.*

734. Are we to understand that there are no coals of the first quality can be raised cheaper than 6*s.* a ton, and none higher than 8*s.* 6*d.*?—Not any that I am acquainted

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acquainted with on the Tyne; it is possible there may be some varying from casual circumstances 6*d.* a ton lower.

735. Now take the second quality of coal?—Do you mean the lowest quality or an intermediate quality.

736. It appears there are three qualities, best, second and inferior?—It appears to me it would be better to divide them into two classes only.

737. What does the second class coals chiefly consist of?—I feel very great difficulty in answering that; our coasting coals are always lower by 2*s.*, from being deteriorated.

738. Confine yourself to the London supply?—There is such a vast variety that I scarcely know which to select.

739. What do you mean by the inferior coals for the London market?—Inferior is a relative term; it depends on the purpose which they are applied to; the scale of prices must fix the value.

740. Mr. *Pease.*] How would you define a second class coal?—I would call the Adair main about the third rate.

741. *Chairman.*] What do you mean by a second rate?—Any coal that does not sell on the Wear at 28*s.* 6*d.* on board, or on the Tyne at 26*s.* on board; any coal below that I call a second rate, down to the very lowest.

742. At what expense can the second rate be brought to the surface?—That involves a question which it is almost impossible to answer; because the best coals I have stated costing so much are merely a manufactured coal; they are made to bring that price from screening out a quantity of small; whereas, if I send a coal from the same pit with a less quantity screened out, I can afford to sell it much cheaper. The very same coal that I say costs 8*s.* to 8*s.* 6*d.* per ton, as the best article, according to the degree of screening, I might be able to afford at 6*s.* Since the time of the old Wallsend we have not had a coal going into the market in the state the mine produces it, they are all a manufactured coal through the whole district, and at an enormous waste of screening.

743. Are we to understand all coals that come to the London market are screened?—Yes, manufactured.

744. But coals that go to other parts of the country are less screened?—Yes, they are less screened.

745. Consequently the prices for the long-shore coals should be very considerably lower?—They are lower, and in many instances the coal-owner at the lower price makes more profit than he does by the best coal.

746. What is the lowest-priced coal of second rate sold at without screening?—Sixteen shillings, I think, is about the lowest.

747. For the second rate?—Yes; 16*s.* for gas coal.

748. The question as to coastwise applied to the best coals?—They are the best coals, but not so much screened; there arises the difficulty, and it is extremely difficult to make it be understood how much coals do cost, inasmuch as it entirely depends on the quantity screened out. The more productive the mine, the more you can send to market, and the cheaper you can send it, and the lower price you can afford it at.

749. Has there been any diminution in the screening since it has been sold by weight?—I do not think there is any essential change.

750. State what expenses are included in the cost which you have given of bringing the best coals to the surface?—Every expense of rents, lessors' rents or royalty, poor's rates, wages, materials, drawing water, working the steam-engines and machinery.

751. No consideration for the amount of capital expended is included in this?—No, we never do include it.

752. Mr. *Lambton.*] No consideration for risks and accidents?—No; I beg to state the mine proprietor receives his rent; he expends no capital; it is the lessee who expends the capital.

753. *Chairman.*] The capital must be employed, and if a man does not work his own mine somebody rents it of him?—Yes; there is no calculation made for that.

754. Mr. *Lambton.*] Explain to the Committee the nature of the risks and accidents?—They are so various it is almost impossible to enumerate them. I have seen accidents of all possible descriptions: by explosions and by drownings, by mines being set on fire, by pits closing up; sometimes the shafts closing by the giving way of a tubbing in a quicksand or water.

755. Have you not known one accident to require 30,000 *l.* or 40,000 *l.* to repair?—I have known an accident to a colliery to require 30,000 *l.* to repair it.

756. All these risks you do not take into your calculation?—No.

757. From your experience during many years are not the accidents which occur less frequent, and the risk less than formerly existed?—I think not; I think they are pretty much the same; I do not know that numerically they are so few.

758. Did you not in 1830 state the risks had decreased by the introduction o Davy's lamp and several other improved means of working?—I did; but we were induced by that invention to work under greater risk; we are working mines now which could not possibly have been worked without the assistance of the Davy's lamp.

759. Then, is that evidence of yours to be taken to mean that by these facilities you can now work collieries that otherwise would not have been worked?—Certainly; many collieries are opened and now in work that had been abandoned.

760. By means of those facilities the risks are not lessened, but the extent of the work is increased?—The extent of the work is increased, and probably the risk of accidents has diminished also. Although we have great numbers of accidents, yet when the increased extent of business, and the peculiar circumstances of the mines are considered, I do not think, on the whole, the risk has increased.

761. Mr. *Lambton.*] Can you insure your coal-mining property?—No; no one will take such risks.

762. Mr. *Pusey.*] Out of the price which you have stated, what proportion do you consider to be on the average amount of rent?—It is very small; I am prepared to state what the range would be; shall I state the range of the mine rent?

763. On the two you have stated, on the average, what proportion do you conceive would go to the rent?—They vary so exceedingly that an average is difficult to draw; for instance, a colliery 10 miles from a place of shipment pays much less mine rent than one on the verge of the river; but I could state the extremes pretty nearly. About the highest mine rent in the most favourable situation is 1 *s.* 3 *d.* per ton; I am speaking here of the Tyne, although it may be said to apply to the district; and the lowest is about 2 ½ *d.* per ton.

764. Can you state roughly what you would suppose to be the mean, taking the coal trade of the three rivers?—The mean will range between 5 *d.* and 6 *d.* a ton.

765. Mr. *Pease.*] Is that the rent on what you call merchantable coal, or coal actually sold, after deducting the wastings, one-third or one-fourth of the gross quantity, as the case may be?—Generally it is; there are some particular mines that pay on their workings.

766. Have you taken your average on merchantable coals?—Yes.

767. *Chairman.*] Are we to understand that at the collieries which are further from the place of shipment the rent is principally laid on the sale coal?—Yes.

768. And consequently the refuse at the distant collieries is of very little value to a proprietor?—It is of no value to the proprietor or lessee, because it will not pay the expense of conveyance.

769. But at the collieries, where the expense of conveyance is little, a proportion of the rent will be laid on the refuse as well as on the sale?—The refuse pays the same rent when it is vended in almost every case; in some particular instances the lessors have found it their interest to reduce the price of the sale coal one-half.

770. State what is the greatest distance of any of the collieries from the place of shipment?—The greatest distance is the Medomsley which is 23 miles, upon the Stanhope and Tyne Railway.

771. How is the coal conveyed?—There are four engine planes and about three self-acting planes, and from near to Lambton Park, about nine or ten miles, it is locomotive.

772. What do you reckon the expense of carriage per ton from the pit's mouth?—I know what it is on that, having a contract from the Tanfield Moor collieries, which is a little below the Medomsley; it is not quite 1 *d.* and $\frac{32}{100}$ per ton per mile.

773. Mr. *Pease.*] Does that include trackage, haulage, and expense of machinery?—Yes, all expenses, including waggons, and all engines, planes and every thing; it is 3 *d.* per chaldron per mile; that is a public railway, and paying for way-leaves; then, in addition to that, there is 6 *d.* per chaldron for spoutage.

774. Do I understand you 3 ½ *d.* per ton per mile is the highest charge for any coal from the pit's mouth to the sea?—That I consider to be about the lowest on a public railway.

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775. State the highest and lowest price at which the coal can be brought from the pit's mouth to the sea per ton?—It very much depends on the quantity that is to be taken; if the machinery is fully occupied, it will do the work much cheaper than if it is only half occupied. What I have given is rather a low scale; my example being taken from where great business is done; the way-leaves vary from 2 ½ *d.* per ton per mile to the third of a penny.

776. State what would be the whole expense of the carriage of a ton from the Tanfield colliery to the sea?—About 2 *s.* 2 ½ *d.*

777. If coals are subject to that charge at 20 miles carriage, are we to take that as an average according to the distance of miles from the sea?—I should say, no; although it is the highest cost when put together at that rate per chaldron per mile, it is little more than one-half what other coals cost; I know coals not more than a third of the distance from the sea cost as much money to take them to the shipping place.

778. State the highest charge on any one colliery you know of for the carriage of a ton of coal to the sea?—I have heard of a colliery where it would cost 10 *s.* per chaldron to convey the coal to the shipping place.

779. Is there any such coal pit at work now?—I think there is.

780. Can you give us of that 10 *s.* charge, how much is for haulage, how much for way-leaves, distinguishing the several items of which that consists?—I can. [*See the answer to question* 1677, *page* 113.]

781. Now, that being the highest, what is the cheapest carriage from any pit to the shipping place, where the coals are put on board?—I think I stated the Duke of Northumberland's was merely a mile of railway, which costs 2 ½ *d.* per ton haulage.

782. Does that include agency?—It is merely the labour, and finding waggons and railway.

783. What additional charge is there to the time of their being placed on board?—There is a 6*d.* spoutage, but that is included in the selling price; the company have no separate agency for that price.

784. Do you include selling or shipping agency charges in these amounts which you have given?—No; but I am not aware there is any colliery on the Tyne that has the fitting done by contract or separate agency.

785. Do the committee of coal-owners regulate the price at which these separate colliery coals shall be sold, or is it the proprietor that regulates the price?—The proprietor comes and gives in his price to the committee: "I shall put my coal at such a price;" another says, "I shall put my coal at such a price," and from that the scale of price which is published is made.

786. If any difference exists between what the coal-owner demands and the committee think fit, it is a matter of arbitration?—It is a matter of discussion; I never knew a case of prices submitted to reference; every one knows pretty well what the intrinsic value of his coal is, and posts himself accordingly.

787. Mr. *Wason.*] On that colliery where the expense of transit is 10 *s.* per chaldron, are not the proprietors glad to get rid of their screened coal at almost any price at the pit's mouth?—Yes, they would be, but it is not in a situation where there is any demand for small coal.

788. Mr. *Chapman.*] If I were to send to purchase three or four cargoes of this refuse coal for the use of manufactories at the place I represent, would they charge me the full price stated?—They could not afford to lead them from that distance.

789. They would be burnt at the pit's mouth, would they?—Yes, because they will not pay the carriage. We have coals sold as low at the borders of the river as 3 *s.* the Newcastle chaldron.

790. Would they sell me four or five or ten cargoes of this refuse coal without charging me the full out-and-out price?—We could not afford to deliver them at a less price than they would cost leading.

791. Would you let your small coals go at a lower price than the large coals?—I would let my small coals go if I could get a price that would pay me as well as my round coal.

792. The small coal being worth little or nothing, the profit you get is upon your large coal?—Yes; I should as readily sell my small coal as my round if I could have an equal profit on them.

793. If

793. If there is 1*s.* a ton profit on round coals and the expense of leading is 1*s.* per ton, you would be glad to take 2*s.* or 2*s.* 6*d.* for the small coals?—Certainly.

794. *Chairman.*] As to your statement No. 6, purporting to be the river Tyne colliery prices, state on what authority that document is made up?—From the list in the Coal Trade-office.

795. Is that the list regulated by the committee?—It is, and the parties.

796. And on the first column there is the proportion of the vend as agreed on?—No, it is not the vend, but the basis agreed on; it is impossible to know what the vend would be, as it depends on the demand.

797. You have given in a list of 41 collieries in the port of Newcastle for the month of May; that gives the amount of the vend for one month, does it not?—It gives the allowed vend issued for that month, and the quantity actually vended.

798. Give in addition to that the total vend for the year?—It is: In April the allowance was 62,367½, and the total vend was 58,292. It is proper to state, in April, that several collieries have vended 1,265 chaldrons more than they were allowed, and other collieries have vended 8,227½ chaldrons short of what they are allowed; consequently, the difference of these two sums shows what the total shorts is. In May the allowance was 62,367½, and the total vend was 55,413½; there were certain collieries vended 689 chaldron more than they were allowed, while others vended 10,143 less than they were allowed, making the total vend for the month 9,384 short of the actual allowance.

799. Are we to understand that short vend depended on the reports of the demand in London?—No, it arose from the want of ships; the ships could not get sold here; there was not a sufficient demand to take them away.

800. Mr. *Pease.*] May it not also depend on ships going to other collieries, in consequence of the coals of those other collieries being more in demand in the market?—Yes; and the vessels would rather wait some time to get the coals that would pay them best freight, than they would other coals.

801. You have stated the committee meets to consider the issue each fortnight?—Yes.

802. Supposing the issue fixed in a mild season on the 15th of December, how would you act in case the weather set in very severe about the 20th of December?—The committee immediately issue an extra allowance.

803. Whenever there appears likely to be an extra demand, do you hold meetings of emergency?—Yes, meetings are held more frequently; almost every week there are members of the committee on the spot, who are always at hand, and orders are immediately given to extend the issue.

804. Have you known that done?—Yes; it sometimes happens that the collieries are told to vend away *ad libitum* in cases of emergency.

805. Is that done without reference to any known scarcity in the market?—Yes, merely from what we consider may be required.

806. You take that measure as a step of precaution?—Yes; when the weather sets in very severely in the winter season, frost and a storm of snow, and the probability of some collieries being shut up by the river freezing, or anything of that kind, we anticipate there will be a great demand.

807. In that case you give the collieries leave to ship *ad libitum*?—Yes, to those collieries that have the power of doing so.

808. You have stated that the issue has reference to the quantities at market and the demand; does no part of your calculation bear on the number of ships that may be waiting, either from the coast or from London?—It frequently happens we give an extra allowance to the quantity when there are ships waiting for coals to take to the coast; we sometimes, and very frequently, have given an extra per-centage on the basis, to give dispatch to the coasting vessels.

809. Do you wish the Committee to understand, if there is a large arrival of vessels, and the turns are likely to be long, you make an additional issue for the purpose of accommodating those ships?—We do.

810. Are you aware whether, when the coals were reduced as you have stated, 8*s.* to 10*s.* a chaldron on the Tyne, that any difference took place in the charge made

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made by the coal-factors and by the coal-merchants in London?—Not to my knowledge.

811. Although there would be a reduction of 10*s.* directly out of the coal-owners' profit, there was nothing out of the pocket of the factors or of the merchant?—Not to my knowledge; their charge was always the same, as far as I recollect.

812. Mr. *Bell.*] Are you aware, in 1832 and 1833, one colliery in Northumberland was laid in, because the coal-owner could not get more than 18*s.* a chaldron for his coals?—Yes, I am.

813. Would not that have been the case with a great many other collieries, if the trade had remained open?—Yes, it would.

814. *Chairman.*] Will you explain this in the list of collieries; I see No. 5, Callerton, the issue stands 1,170; I find the total vend to London, none; to the coast, 237; short, 933; how is that, is the colliery exhausted?—No, but I believe it is in difficulty; some temporary difficulty or interruption has taken place in that colliery.

815. I see another colliery, Percy main, a decrease, No. 24, from 2,470, which is the issue, to 1,722; No. 38, Wallsend issue, 1,755, and a short vend of 528; what is that owing to?—A scarcity of ships and no demand; our demand arises from the ship-owners; the ships have gone somewhere else, where they can get better pay.

816. When one colliery decreases in that manner, do you increase the other collieries in proportion?—That is exactly what they have done; that shows the issue to be more than the market would take off.

817. It does not show the coal-pit is exhausted?—By no means; the coals were worked ready to be vended when the ships came. I have had a letter from the agent within these few days, to say that ships had come, and they had got the whole of the resting coals off.

818. Mr. *Pease.*] Is that what you call making up the shorts?—Yes.

819. Mr. *Chapman.*] Will you allow me to ask you whether you have the same trouble now of binding the pitmen as you used to have?—A great deal less of trouble.

820. In consequence of what?—In consequence of the regularity by which every department of the work is adjusted to the quantity of coals to be vended.

821. *Chairman.*] Have you any other observation to make with respect to the Tyne?—I am not aware that I have.

[*The following are the Documents referred to by Mr. Buddle in his Evidence:*]

No. 2.—Rates of Vend given out per 1,000 and per Month, in each Month, in the undermentioned Years, during a Regulation in the Coal Trade.

Months.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.	1835.	1836.
January	30	40	Open Trade.	55	50	40	Open Trade.	Open Trade.	40	35
February	30	40		55	50	40			60	50
March	40	40		65	65	45		45	58	55
April	60	50		70	30	60		50	65	65
May	60	60		60	No issue, Pitmen's Strike.	60		50	60	65
June	55	60		60	70	60		55	40	—
July	50	75		75	85	60		65	55	—
August	60	75		80	100	70		80	70	—
September	80	90	60	85	100	80		75	80	—
October	95	95	75	85	100	85		80	85	—
November	85	95	70	80	100	65		80	85	—
December	75	91¾	65	65	90	65		65	70	—
Total	720	811¾	270	835	840	730	—	645	768	—

No. 3.—Basis of the Three Rivers.

1835: Tyne Basis	939,000	Newcastle chaldrons of 53 cwt.	
Wear ditto	585,000	—	
Tees ditto	160,000	—	
Hartley, Cowpen and Netherton	68,750	—	
	1,752,750 or 1,752¾.		

Issues

Issues in 1835,	January	40	Issues in 1835,	July	55·378
	February	60·100		August	70·448
	March	58·158		September	80·528
	April	65·223		October	85·613
	May	60·283		November	85·698
	June	40·323		December	70·768

= 1,346,112 = 768 or Ing. 76¾ per cwt.
23¼ per cwt. short of basis.

N.B. The under-mentioned collieries are not in the regulation, and their quantities are not included in the basis, as stated above; viz.—

Tyne:—Townley Glebe, Kibblesworth, Stormont, Leazes, Medomsley, Lanchester Common.
Wear:—Haswell, Urpeth.
Tees:—West Hetton, Chilton.
Hartlepool:—Thornley.

No. 5.—Price of Best Coals on the *Tyne*, in

		s.	*d.*	
1829,	Bewicke and Craster's Wallsend	11	8	per ton.
1832,	Ditto	12	—	—
1833,	Ditto, 24*s.* per chaldron	9	-½	—
1834,	Ditto, 25*s.* —	9	5·2	—
	September, 26*s.*	9	9¾	—

Price continued the same up to the present time, June 1836.

No. 6. (a)—June 1836, River *Tyne*, Prices of Coals.

January 1836:—River *Tyne* Collieries and Prices on board of Ship.

Basis, 1836.	Collieries.	Certificate.	Per Newcastle Chaldron.	Per Ton.
			s. *d.*	*s.* *d.*
30	Backworth	Northumberland W. E.	24 —	9 6·79
		Earsdon Main	18 —	6 9·4
18	Benwell	Adair's Main	19 —	7 2·04
		Ditto, unscreened	16 —	6 0·44
43½	Burradon and Killingworth	Killingworth W. E.	26 —	9 9·73
		Burradon	25 —	9 5·2
18	Callerton	Callerton W. E.	—	—
26	Collingwood	Bell, Robson & Co. W. E.	23 —	8 8·14
		Burdon Main	20 —	7 6·56
30	Coxlodge	Riddell's W. E.	26 —	9 9·73
		Coxlodge	23 —	8 8·14
		West Karton	20 —	7 6·56
20	Cramlington	West Hartley	21 —	7 11·08
20½	Elswick	Beaumont	16 —	6 0·44
		Ord's Redhaigh	14 —	5 3·39
29	Fawdon	Newmarch W. E.	24 —	9 6·79
17½	Felling	Felling	18 —	6 9·4
		Unscreened	16 —	6 0·44
38	Gosforth	Gosforth W. E.	26 —	9 9·73
29	Heaton	Heaton	25 —	9 5·2
		Howard	21 —	7 11·08
29	Hebburn	Ellison's W. E.	24 —	9 6·79
		Hebburn Main	23 —	8 8·14
21	Heworth	Dean's Primrose W. E.	20 —	7 6·56
		Dean's Primrose Main	18 —	6 9·4
23	Hollywell	Clark's & Co.'s W. E.	21 —	7 11·08
		Ditto Main	16 —	6 0·44
27	Hotspur	Hotspur's W. E.	24 —	9 6·79
26	Jarrow	Brown's W. E.	23 —	8 8·14
		Bede's W. E.	21 —	7 11·08
17½	Low Main	Shipcote	15 —	5 7·92
28	Manor Wallsend	Hilda's W. E.	24 —	9 6·79
		Manor W. E.	19 —	7 2·04
18	Monkseaton	Monkseaton	19 —	7 2·04
		East Percy	18 —	6 9·4
18	Mount Moor	South Eighton Moor	19 —	7 2·04
22	Ouston	Pelaw Main	20 —	7 6·56
38	Percy Main	Bewicke & Craster's W. E.	26 —	9 9·73
		Charlotte Main	21 —	7 11·08

(*continued*)

Mr. *John Buddle.*

16 June 1836.

Basis, 1836.	COLLIERIES.	CERTIFICATE.	Per Newcastle Chaldron.	Per Ton.
			s. *d.*	*s.* *d.*
23	Seghill	Carr & Co.'s W. E.	23 –	8 8·14
		Blake's Main	18 –	6 9·4
18	Sheriff Hill	Ellison's Main	19 –	7 2·04
		Sheriff Hill	18 –	6 9·4
21	Springwell	Peareth's W. E.	19 –	7 2·04
18	St. Lawrence	Todd & Watson's W. E.	22 –	8 3·62
		St. Lawrence	21 –	7 11·08
		Picton Main	19 –	7 2·04
25	Team	Wharton's W. E.	21 –	7 11·08
		Eighton Moor	20 –	7 6·56
		Team	16 –	6 0·44
—	Townley	Townley Main	—	—
26	Tanfield Lea & Garesfield	Tanfield Lea	19 –	7 2·04
		Pontop, &c.	19 –	7 2·04
		Garesfield	16 –	6 0·44
18	Tanfield Moor	Tanfield Moor	22 –	8 3·62
25	Tyne Main	Woodside W. E.	21 –	7 11·08
		Tyne Main	18 –	6 9·4
23½	Usworth	Usworth Main	19 –	7 2·04
20	Waldridge	Joliffe	19 –	7 2·04
		Chester Main	18 –	6 9·4
28	Walker	Walker's W. E.	25 –	9 5·2
		Old Walker	21 –	7 11·08
23	Walbottle	Holywell Main	21 –	7 11·08
		Newburn Main	20 –	7 6·56
27	Wallsend	Bensham W. E.	21 –	7 11·08
		Bensham Main	19 –	7 2·04
31	Willington	Bell and Brown's W. E.	25 –	9 5·2
		Willington	25 –	9 5·2
		Forest Main	21 –	7 11·08
27	Widcopen	Perkin's W. E.	23 –	8 8·16
29	Wylam	Wylam	20 –	7 6·56
—	Lanchester and Medomsley	—	—	—
959½				

Month of April, 1836; *Tyne* Vend.

List of Collieries in the Port of *Newcastle.*

		Basis.	Issue 65 pr. 1,000	Vended to London.	Vended to Coast.	Total Vend.	Over.	Short.
1	Backworth	30	1,950	985	762	1,747	–	203
2	Bennell	18	1,170	1,112	42	1,154	–	16
3	Burdon Main	26	1,690	1,078	217	1,295	–	395
4	Burradon and Killingworth	43½	2,827½	1,846	702	2,548	–	279½
5	Callerton	18	1,170	–	237	237	–	933
6	Coxlodge	30	1,950	840	548	1,318	–	562
7	Cramlington	20	1,300	737	166	903	–	497
8	Elswick	20½	1,332½	1,166	126	1,292	–	40½
9	Fawdon	29	1,885	1,641½	342½	1,984	99	–
10	Felling	17½	1,137½	878	20	898	–	239½
11	Gosforth	38	2,470	981	1,017	1,998	–	472
12	Heaton	29	1,885	1,733	106	1,839	–	46
13	Hebburn	29	1,885	428	1,174	1,602	–	283
14	Heworth	21	1,365	1,025	165	1,190	–	175
15	Holywell	23	1,495	256	672	928	–	567
16	Hotspur	27	1,755	1,499	148	1,647	–	108
17	Jarrow	26	1,690	756	1,045	1,801	111	–
18	Lanchester and Medomsley	–	–	884	1,903	2,787	–	–
19	Low Moor	17½	1,137½	360	511	871	–	266½
20	Manor Wallsend	28	1,820	1,830	148	1,978	158	–
21	Monkseaton	18	1,170	878	345	1,223	53	–
22	Mount Moor	18	1,170	–	1,118	1,118	–	52
23	Pelaw Main	22	1,430	900	590	1,490	60	–

		Basis.	Issue 65 per 1,000	Vended to London.	Vended to Coast.	Total Vend.	Over.	Short.
24	Percy Main	38	2,470	1,073	649	1,722	- -	748
25	Seghill	23	1,495	487	968	1,455	- -	40
26	Sheriff-hill	18	1,170	764	431	1,195	25	–
27	Springwell	21	1,365	- -	1,345	1,345	- -	20
28	St. Lawrence	18	1,170	296	702	998	- -	172
29	Stormont	–	–	–	–	–	–	–
30	Tanfield, Lea and Garesfield	26	1,690	1,026	1,156	2,182	492	–
31	Tanfield Moor	18	1,170	1,057	87	1,144	- -	26
32	Team	25	1,625	- -	1,637	1,637	12	–
33	Tyne Main	25	1,625	- -	1,762	1,762	137	–
34	Usworth	23½	1,527½	626	787	1,413	- -	114½
35	Walbottle	23	1,495	1,559	16	1,575	80	–
36	Waldridge	20	1,300	1,052	286	1,338	38	–
37	Walker	28	1,820	330	945	1,275	- -	545
38	Wallsend	27	1,755	296	931	1,227	- -	528
39	Wideopen	27	1,755	403½	997½	1,401	- -	354
40	Willington	31	2,015	465	1,167	1,632	- -	383
41	Wylam	19	1,235	914	159	1,073	- -	162
	TOTAL	959½	62,367	32,162	26,130	58,292	1,265	8,227½

Month of May 1836; *Tyne* Vend.

LIST of COLLIERIES in the Port of *Newcastle.*

		Basis.	Issue 65 per 1,000.	Vended to London.	Vended to Coast.	Total. Vend.	Over.	Short.
1	Backworth	30	1,950	726	597	1,323	- -	627
2	Benwell	18	1,170	895	67	962	- -	208
3	Burdon Main	26	1,690	962	168	1,130	- -	560
4	Burradon and Killingworth	43½	2,827½	1,991	384	2,375	- -	452½
5	Callerton	18	1,170	- -	170	170	- -	1,000
6	Coxlodge	30	1,950	1,240	387	1,627	- -	323
7	Cramlington	20	1,300	894	235	1,129	- -	171
8	Elswick	20½	1,332½	1,144	30	1,174	- -	158½
9	Fawdon	29	1,885	—	—	—	—	—
10	Felling	17½	1,137½	678	21	699	- -	438½
11	Gosforth	38	2,470	1,532	685	2,217	- -	253
12	Heaton	29	1,885	1,161	328	1,489	- -	396
13	Hebburn	29	1,885	523	1,077	1,600	- -	285
14	Heworth	21	1,365	854	395	1,249	- -	116
15	Holywell	23	1,495	659	514	1,173	- -	322
16	Hotspur	27	1,775	954	50	1,004	- -	771
17	Jarrow	26	1,690	758	768	1,526	- -	164
18	Lanchester and Medomsley	No basis fixed.		918	1,562	2,480	—	—
19	Low Moor	17½	1,137½	484	388	872	- -	265½
20	Manor Wallsend	28	1,820	1,690	163	1,853	33	—
21	Monkseaton	18	1,170	580	606	1,186	16	—
22	Mount Moor	18	1,170	- -	986	986	- -	184
23	Pelaw Main	22	1,430	854	602	1,456	26	—
24	Percy Main	38	2,470	1,593	314	1,907	- -	563
25	Seghill	23	1,495	996	563	1,559	64	—
26	Sheriff Hill	18	1,170	373	474	847	- -	323
27	Springwell	21	1,365	926	403	1,329	- -	36
28	St. Lawrence	18	1,170	233	349	582	- -	588
29	Stormont	—	—	—	—	—	—	—
30	Tanfield Lea and Garesfield	26	1,690	837	1,282	2,119	429	—
31	Tanfield Moor	18	1,170	961	94	1,055	- -	115
32	Team	25	1,625	- -	1,627	1,627	2	—
33	Tyne Main	25	1,625	- -	1,557	1,557	- -	68
34	Usworth	23½	1,527½	742	686	1,428	- -	99½
35	Walbottle	23	1,495	1,468	27	1,495	—	—
36	Waldridge	20	1,300	942	306	1,248	- -	52
37	Walker	28	1,820	567	815	1,382	- -	438
38	Wallsend	27	1,755	530	1,028	1,558	- -	197
39	Wideopen	27	1,755	622	566½	1,188½	- -	566½
40	Willington	31	2,015	723	1,411	2,134	119	—
41	Wylam	19	1,235	756	202	958	- -	277
	TOTAL	959½	62,367½	33,283½	22,130	55,413½	689	10,143

Mr. *James Bentley*, called in; and Examined.

Mr. *James Bentley*.

16 June 1836.

822. *Chairman.*] WHAT are you?—A coal-factor.

823. Were you examined before the Committee in April 1830?—Yes.

824. Have you been in business from that period?—I have been extensively engaged.

825. The Committee wish you would state, as succinctly as possible, the whole operations of the factors, from the arrival of the vessel at Gravesend to the delivery to the buyer?—The factors have an office at Gravesend, where the certificates are sent as soon as the ship arrives within the limits of the port of London, and the clerk there then forwards them to the Coal Exchange.

826. Is that the office appointed by the factors?—Yes; and according to the arrival and numerical entry at Gravesend the ship takes her turn; on the receipt of the papers or entries from Gravesend, the ship is entered in a book at the Coal Exchange, and offered for sale in rotation.

827. Is that rotation according to the entry at Gravesend, or the entry of the book at the Coal Exchange?—The entry in the book at Gravesend and the entry at the Coal Exchange are alike; after the sale is effected the buyers sign an agreement.

828. State how they are offered for sale?—I go down to the Coal Exchange with a list setting forth the sorts of coal and sizes of the ships I have for sale.

829. Do you produce the lading certificates?—I do not exhibit them to the coal buyer; they are generally sent by the ship, and I have already stated are forwarded from Gravesend, one to be deposited with the collector of Customs, and the other with the clerk of the coal-market, or one is sent direct from the north, agreebly to the Act of Parliament, to the clerk of the Coal Exchange.

830. And are these exhibited by you along with the ships?—Certainly not; these are public documents lodged with the Customs and with the clerk of the Coal Exchange for public inspection.

831. So that every buyer may see them?—Yes; this is a copy of the agreement between the factor and buyer.

[*The Witness handed in the same, which is as follows:*]

London, 30th May 1836.

Sold by the undersigned, Burton and Bentley, factors, to and bought by the undersigned buyer or several buyers in the several proportions set opposite to his or their respective signatures, a cargo of coals, now on board the ship Champion, of which J. Clark is master, (which cargo is certified by the coal-fitter to be Stewart's Wallsend coals, and to weigh 298 tons) at the price of 21 *s.* a ton, and 1 ½ *d.* per ton for metage, but the buyer or buyers are not to be bound to take any way-coals or sweepings of the ship, excepting the excess beyond 7 ½ cwt. The cargo to be delivered and taken by the buyer or respective buyers, according to his or their proportions, from the side of the ship in the usual manner, or as they shall mutually agree, but at the rate of 49 tons per working day, each buyer being only answerable for any damage arising from his default in not taking away his proportion in due time. The coals to be weighed in the ship by the meter, who is to be appointed by the shipping-clerk of the Meters'-office at the Coal Exchange. Payment to be made by each of the buyers for his proportion of coals in the following manner: one-third in cash, on the first market-day after delivery; one other third by a note at 60 days, to be dated on that day, and made payable to the order of the factor; and the remaining one-third in cash on the fourth market-day after delivery. Allowances to be made to the buyer or buyers as follows: 1 *l.* per cent. on the amount of purchase; 2 *l.* per cent. discount on the first cash-payment if punctually made; 2 *l.* per cent. discount on the last payment if punctually made, and 1 *s.* per score on each score tons of coals, and the expense of the note stamp. If the cargo should be delivered in a damaged state from having been wilfully or fraudulently wetted, or from the ship having received damage on her passage, the buyer or buyers shall be entitled to an allowance for any increase of weight thereby occasioned, out of the third payment, the amount of such allowance to be settled by arbitration.

—	—	—	Buyer's Signature.	Quantity of Tons sold to and bought by each Buyer.
	Sellers' Signature.			

832. Are

832. Are they sold by bidding or private sale?—By private sale.

833. This paper given in by you, "Sold by the undersigned, Burton and Bentley, factors, a cargo of coal by the ship Champion, describing the quantity to weigh so and so;" is this the usual agreement?—Yes; the usual agreement.

834. Then that agreement binds the buyer to pay one-third in cash on the first market-day after delivery; one-third by note at 60 days, and the remaining third in cash on the fourth market-day after the delivery?—Yes; and the allowance to the buyer is stated.

835. Allowances to be made to buyers one per cent. on the amount of purchase, two per cent. discount on first cash payment, two per cent. discount on last payment if punctually made, and 1 *s.* per score on each score tons of coal, and the expense of note stamp?—It is the allowance made to the purchaser.

836. Does each buyer sign this paper?—Each buyer generally signs it.

837. And leaves it with you, or the clerk of the market?—He leaves it with me.

838. Is this a legal instrument?—Yes; it is an agreement for the sale and purchase of goods, and does not require a stamp; the buyers agree among themselves as to the mode and turn in which they will unload the coals; and they sign a paper directed to the meter, like the one now delivered in.

[*The Witness handed in the same, which is as follows:*]

London, 30th May 1836.

To the meter appointed to weigh the cargo in the ship Champion, of which J. Clark is master. We the undersigned having bought of Burton and Bentley, factors, a cargo of coals in the ship Champion, of which J. Clark is master, (certified to be Stewart's Wallsend coals, and to weigh 298 tons) and to be worked at the rate of 49 tons per working day. We hereby direct and require you to work the said cargo, and to deliver the same to us, according to the several turns set opposite to our respective signatures, but the party whose turn shall happen to be the last, is to have delivered to him the full residue of the cargo, be the same more or less, though he is not to be bound to take any way-coals or sweepings of the ship, excepting the excess beyond 7 ½ cwt. And we also direct and require you not to weigh a less quantity than seven tons, or some multiple of seven tons into any barge, unless to make up the particular working of any of us, or to clear the ship.

Turns of Working.	Buyer's Signatures.	Number of Tons to be taken by each Buyer.
1st - -	James and Edward Jackson - - -	14 & 21
2d - -	W. C. Wright - - - - -	7 & 28
3d - -	Edward Day - - - - - -	21 & 49
4th - -	Thomas White - - - - -	21 & 49
5th - -	Henry Alldin - - - - -	7 & 28
6th - -	Felton and James - - - - -	14 & clear.

839. Supposing there to be two or three buyers of one cargo, how do they arrange?—They settle between themselves who shall have the first turn.

840. How is it when there is only one buyer to a ship?—Then he takes the whole.

841. May a ship's cargo be delivered in one day if the parties choose?—Yes; the agreement is, that they shall not work less than a certain portion, say 49 tons per diem; we should be glad if they were taken out all in one day.

842. When the parties have agreed as to the time of taking their coals, who do you appoint to superintend or deliver or measure them?—The turn-paper, with a request that a meter may be appointed (a copy of which I now hand in), is delivered into the clerk of the Coal-meter's office, who appoints a meter to weigh out the cargo in the order it is numbered.

[*The Witness handed in the same, which is as follows:*]

Mr. *James Bentley.*

16 June 1836.

Entered 20th May 1836,
No. 2,731.

To the Clerk of the Coal-meter's Office.

Coal Market, 30th May 1836.

The ship Champion, J. Clark, master, from Seaham, laden with 298 tons of Stewart's Wallsend coals, having been sold to the buyers named in the turn-paper herewith delivered in, you will appoint a meter to weigh out the cargo.

For *Burton & Bentley*, Factors.

843. Could that ship be delivered in one day if they have the capacity of taking it away?—Yes, if it were possible for that quantity to be weighed out.

844. There is no limitation as to the quantity to be delivered in one day, but the will of the proprietor?—Not the least; our agreement is you shall not take less than 49 tons per day, but we should be very glad if they would take 200.

845. Who appoints the gang who are to deliver the coals?—The ship-master delivers the cargo in the coal trade as in all other trades, and consequently employs the gang.

846. Mr. *Wason.*] If they take more than 49 chaldrons, do they not pay an extra price?—Certainly not; they pay so much per ton for the delivery of the coals, which is paid by the ship-master; and the labourers or whippers are as much interested as the ship-master or ship-owners to deliver the greatest possible quantity the buyers could take away. On the delivery being completed the meter or weigher makes a correct return to the factor of the actual quantity that has been delivered to each of the buyers in conformity with the turn-papers.

847. If the buyer takes the quantity according to the certificate that is sent up, is there any necessity for the meter at all?—Certainly not; I sold a cargo yesterday, to be taken on the shipping certificate, without reference to a meter or their being weighed.

848. In that case is there any measurement whatever?—I rather think the person weighs them into his own carts; but not as between me and him.

849. Are we to understand there is no necessity if a man buys an entire cargo of coal to require a meter at all?—Certainly not; if I am satisfied that I am getting paid for the quantity my ship contains I will sell him every cargo I have without a meter.

850. From your experience do you place perfect reliance in the shipping certificate?—Generally speaking I think the average will turn out fairly; but we have had some discrepancies.

851. Mr. *Crawford.*] Is the meter for the security of the buyer?—The meter is for my security as well as the buyer; when a person comes to treat with me for a cargo of coals, he would say, "I will have them weighed: I must be satisfied that the cargo is weighed by a proper person."

852. If he is content to take them without being weighed, are you?—If he is content to take them at what they are represented from the north, and I am also contented, then they are taken without being weighed.

853. Mr. *Pease.*] Do you know whether these certificates of shipment are sworn to by the shipper at the port of shipment?—I believe they are sworn to in this way; the Act requires the freighter shall make a return to the city of London for the security of the city dues once in three months, and he is obliged to make an affidavit of the correctness of that return.

854. And the quantity and price that he is charged?—Yes.

855. Is that to be verified by affidavit before a magistrate or magistrates?—Yes, it is.

856. Do you know whether the shippers are in the habit of appearing before the magistrate to make that affidavit under pain of a heavy penalty?—They ought to do so, by the Act of the 1 & 2 Will. 4, c. 76, s. 75.

857. That is the security as to the quantity shipped, by whom shipped, the quality of the coals, and as to the pit from whence drawn?—Most decidedly.

858. *Chairman.*] Of your own knowledge has that been complied with since the Act passed?—There has been one or two places from Wales, where they were not aware of the Act, where they did not comply; but, generally speaking, in the northern trade I should say most strictly.

859. Mr.

859. Mr. *Pease.*] Are the discrepancies to which you alluded when you spoke of an average being correct, in your opinion, the result of an intentional fraud or error, or may there be an overplus in shipment or accidental diminution?—I should say they are errors in the shipment, and it has generally been caused where the coal has been shipped by keels.

860. Have the errors of over quantities been as numerous as those of reduced quantities?—I should say about equal.

861. *Chairman.*] When the coal you ship passes through different hands, a deficiency may take place?—Yes.

862. Are there any advantages derived from the establishment of that office at Gravesend?—The advantages I consider to be very great to the ship-owners; formerly a man, but more generally a boy, was sent away from the ship on her arrival at the Nore, and in some instances from near Yarmouth, by which the ship-owners lost the services of one of the crew, in some cases for several days, and that in the most difficult part of the voyage. On the arrival of a fleet a large number of boys were consequently thrown together in the public-houses and other places of resort until the arrival of the ships.

863. What regulations are there respecting the times of sale?—There is no regulation as to the time of sale, the same hours and the days have been continued in the market as was under the old Act of Parliament; the market, by the 1 & 2 Will. 4, was continued an open market for the sale of coals; but I can now sell coals at any time and in any place, which could not be done under the old Act.

864. Can you deliver them until they are reported by you to the clerk of the Coal Exchange as sold?—I cannot deliver them by the meters of that establishment, but I can sell a cargo of coals now, and have it delivered to-night, if I have one in turn for sale.

865. Will not that be contrary to the rules which the Factors'-office have established in regard to the sale?—It would not if that ship was in turn.

866. Suppose on Friday evening at three o'clock, the sale hour closing at half-past two, you sold a cargo, could that be delivered by the meters until Monday, when you are able to report it as the sale of that day?—Not by the official meters, because the practice of that office is only to take in the ship papers on market-day, except under particular circumstances.

867. How would it be done; would it not be a violation of your rules to do it otherwise than by the regular meters?—Certainly not; they have no rule which compels us to take a meter. I sold a ship yesterday to work without a meter.

868. But if three or four individuals buy a ship at any time, and for their own satisfaction want a meter, can they have one on demand?—If a case of emergency arose that a meter was required, I am sure one would be granted immediately.

869. Is it as Mr. Clark stated, that there was an exception to the 40th rule, when cargoes were sold for Government to send abroad that they may be transshipped immediately?—Coals for Government do not come into rotation, nor for gas companies.

870. Suppose I want a cargo for Gibraltar, would that come within the rotation of 40?—I should only sell you such ships as I have in turn by rotation for sale.

871. Would you for Government?—If the Government required, we should certainly deviate from the regulation.

872. Suppose a merchant wanted a cargo for Gibraltar, how would you act?—If a merchant wanted one I should not sell to him a cargo not in turn.

873. Mr. *Chapman.*] Suppose I wanted a cargo to go away to-morrow, and I agreed with the ship-owner to take it to Gibraltar, could you not sell me that cargo?—I should not be disposed to deviate; because I should be depriving myself of the sale of another cargo that was in turn; but if the ship-owner chose to sell it, I should have no power or desire to prevent him.

874. Mr. *Crawford.*] You would not allow the buyer to have the choice of the market?—He would have the choice of the market of what was for sale, but he would not have the choice of that which was not for sale.

875. *Chairman.*] Suppose my ship was No. 50, and you only sent 40 to market, and I made an arrangement with a merchant, sold my cargo to go to Gibraltar, do you mean to say I could not do it?—Certainly you as owner of the

Mr. *James Bentley.*

16 June 1836.

cargo would send her away without troubling me; if you place a ship in my hands for sale, I will only sell that cargo when in turn, according to the regulation, and not deprive another man of the sale of his cargo which has been lying for two or three days by taking advantage in selling a cargo not in turn.

876. Mr. *Crawford.*] You would consider it a breach of the regulation?—A breach of faith that I should sell the ship of *B.* before I sold the ship of *A.*

877. Mr. *Pease.*] Would you not be responsible to the consignor for all the consequence and damages?—Certainly.

878. In point of fact, you are aware in case you had so done he might immediately deliver those coals in the London market?—Undoubtedly.

879. *Chairman.*] My ship is No. 50; my coals particularly suit the market at Gibraltar; you may only sell 40; the merchant wishes to buy my ship of coals; you would not sell her for me, but you would tell me I might sell it myself, and let her take the coals immediately?—Undoubtedly; I should say you may send your ship to Gibraltar if you please.

880. Suppose the owner not here, and an application made to you whether you will allow that cargo to be sold; under these particular circumstances would you do so?—I certainly would not receive the consignment, unless he conformed to the rules and regulations I adopt in the sale of coals; that is to sell them in rotation, and not to sell the 10th ship before the 9th.

881. Mr. *Pease.*] You have spoken of the owners having unlimited power over their own property; is it not in the coal trade the fact that in nine cases out of ten the captain has that power by virtue of his appointment or as part-owner?—Undoubtedly. I consider the ship under his control, and consequently the captain stands in the situation of the owner when he is here.

882. Did you ever know a case of difficulty arise, such as has been hinted to you?—Never.

883. *Chairman.*] Do you mean to say that no vessels are consigned to you from the north direct, without any authority whatever to the captain to interfere in the sale?—I mean to say in 99 cases out of 100 they are consigned to me without any reference to any person whatever.

884. Are we to understand then any interference of the captain would be attended to by you against the instructions you received from the north, as from the owner?—Certainly not; in such cases I should consider I was the agent of his master, and he was only the servant, to obey my instructions.

885. Mr. *Pease.*] Do you mean to state the coals coming from the north are consigned by the parties in the north without reference to the calling of the captain on his arrival in London?—I mean to say a large portion of them are; some of the captains are owners of ships, and have the control; but 99 out of 100 are sent to me without reference to any one whatever. The only advice I have, such a ship is loaded with coals.

886. Do you consider that gives you the power of interfering with the cargo when the captain is part-owner?—Certainly not.

887. *Chairman.*] By the regulation of the factors the market-days are continued as three?—Yes.

888. When the coals are delivered, what takes place?—After the delivery is completed an account of the sale is made up, and handed by me as the factor to the consignor. The particulars of an account sales of a cargo from the Wear I hold in my hand, by which it appears a cargo sold at 21*s.* per ton leaves a balance for freight to the ship on 293 tons of 115*l.* 15*s.* 11*d.*, out of which the shipowner has to pay delivery of the cargo 9*d.* per ton, and 1½*d.* metage, making 10½*d.*, leaving 7*s.* 0½*d.* to pay lights, ballast, pilots, navigating, insuring ship, wear and tear, &c.

[*The Witness handed in the same, which is as follows:*]

Mr. *James Bentley.*

16 June 1836.

FROM THE WEAR.

ACCOUNT SALES of a CARGO of COALS, 298 Tons, sold in *London* at 21 *s.* per Ton, with 1 ½ *d.* per Ton Metage.

Dr.	£.	s.	d.	£.	s.	d.
To Night-office and entry			4 6			
City dues by Act of Parliament, on 298 tons, per certificate, at 1 *s.* 1 *d.* per ton	16	2	10			
Metage on 293 tons, at 3 *d.* per ton (half borne by the ship-owner)	1	16	7			
				18	3	11
Tret 1 *l.* per cent. allowed buyers £. 3 2 –						
Discount 2 *l.* per cent. on two-thirds ditto* 4 3 –						
Scorage 1 *s.* per score ditto 15 –						
Bill stamps ditto 8 –						
	8	8	–			
Receipt stamps, postages and expenses		18	6			
				9	6	6
Factorage 3 *d.* per ton	3	13	3			
Del credere commission 10 *s.* per cent.	1	10	11			
				5	4	2
Insurance on 160 *l.* at 15 *s.* per cent.	1	4	–			
Policy duty		2	6			
				1	6	6
			£.	34	1	1
Paid coal-owner for 112 chaldrons of 53 cwt. at 1 *l.* 8 *s.* 6 *d.* per chaldron				159	12	–
Balance for freight to the ship on 293 tons				115	15	11
			£.	309	9	–

Being 7 *s.* 11 *d.* per ton.
Out of which the ship-owner has to pay delivery of cargo, per ton 9 *d.*
Half metage 1 ½ *d*
10 ½ *d.*

Leaving 7 *s.* 0 ½ *d.* per ton, to pay port duty, lights, ballast, pilotage, navigating, victualling and insuring ship, and wear and tear, &c.

* On Hartley, Cowpen, Blyth, Scotch and Welch coals, the buyer is allowed 2 *l.* per cent. on the whole amount.

Cr.	Tons.	Cwt.		£.	s.	d.
By T. Johnson	70	0	at 21 *s.*	73	18	6
E. Davis	77	0	– –	81	6	6
F. Sanders	70	0	– –	73	18	6
A. White	76	0	– –	80	5	6
	293	0	£.	309	9	0

(Errors excepted.)

London, 30th May 1836.

889. I observe a different allowance is made on Hartley, Cowpen, Blyth, Scotch and Welch coals, the buyer is allowed two per cent. on the whole amount; how is that?—It has always been the custom to allow a discount of two per cent. on the coals from those places. I now submit an account sales of a cargo from the Tees, sold at 19 *s.* per ton, and after paying a freight of 9 *s.* it left 86 *l.* 3 *s.* 5 *d.* to pay the coal-owner for 220 tons of coals on board ship, being 7 *s.* 9 *d.* per ton.

[*The Witness handed in the same, which is as follows:*]

Mr. *James Bentley.*

16 June 1836.

FROM THE TEES.

ACCOUNT SALES of a CARGO of COALS, 220 Tons, sold in *London*, at 19 *s.* per Ton, with 1 ½ *d.* per Ton Metage.

Dr.	£.	*s.*	*d.*	£.	*s.*	*d.*
To Night-office and entry	–	4	6			
City dues per Act of Parliament, on 220 tons, per certificate, at 1 *s.* 1 *d.* per ton	11	18	4			
Metage on 219 tons, at 3 *d.* per ton (half borne by the ship-owner)	1	7	4			
				13	10	2
Tret 1 *l.* per cent. allowed buyers – – £.	2	2	–			
Discount 2 *l.* per cent. on two-thirds ditto* –	2	16	–			
Scorage 1 *s.* per score – – ditto – –	–	11	6			
Bill stamps – – – ditto – –	–	6	–			
	5	15	6			
Receipt stamps, postages and expenses – – –	–	16	–			
				6	11	6
Factorage 3 *d.* per ton – – – – – –	2	14	9			
Del credere commission 10 *s.* per cent. – – – –	1	–	11			
				3	15	8
Insurance on 100 *l.* at 15 *s.* per cent. – – – –	–	15	–			
Policy duty – – – – – – – – –	–	1	3			
				–	16	3
			£.	24	13	7
Paid ship-owner freight on 219 tons, at 9 *s.* per ton – – – –			–	98	11	–
Balance left to pay for 220 tons of coals on board ship, being 7 *s.* 9 *d.* per ton – – – – – – – – – – –				86	3	5
			£.	209	8	–

* On Hartley, Cowpen, Blyth, Scotch and Welch coals the buyer is allowed 2 *l.* per cent. on the whole amount.

Cr.	Tons.	Cwt.			£.	*s.*	*d.*
By T. Johnson – – – – – – – –	56	0	at	19 *s.*	53	11	–
E. Davis – – – – – – – –	56	0	–	–	53	11	–
F. Sanders – – – – – – – –	56	0	–	–	53	11	–
A. White – – – – – – – –	51	0	–	–	48	15	–
	219	0		£.	209	8	–

(Errors excepted.)

London, 30th May 1836.

890. Is there any difference in the charges from these two ports?—There is no difference in the charges, except the difference in the freight; the ship with Stewart's, was on her own account, the other was on freight.

891. It appears that the coals from the Wear are put in at 21 *s.* as the market price, while those from the Tees are 19 *s.*, both being sold on the 30th of May; explain the difference?—The cargo from the Wear is Stewart's Wallsend, being of the first quality; the cargo from the Tees is of a different quality, and sold for that price.

892. The coals from the Tees being on freight, this account shows that the coal-owners receive for the coals on board 7 *s.* 9 *d.* per ton?—In that case precisely.

893. What did he receive in the other case?—Ten shillings and nine pence.

894. Does the 7 *s.* 9 *d.* include the cost of the coals, the profit of the coal-owner, and all expenses?—Yes, on board. I have now an account of a cargo of coals used for manufacturing purposes, sold at 15 *s.*, a cargo of 339 tons, sold at 15 *s.* a ton, leaving 74 *l.* 16 *s.* 8 *d.*, being equal to 4 *s.* 5 *d.* per ton, to pay for the coals.

[*The Witness handed in the same, which is as follows:*]

FROM THE TYNE.

ACCOUNT SALES of a CARGO of COALS, 339 Tons, sold in *London*, at 15 *s.* per Ton, with 1 ½ *d.* per Ton Metage.

Dr.	£.	s.	d.	£.	s.	d.
To Night-office and entry		4	6			
Trinity dues		12	2			
City dues per Act of Parliament, on 339 tons, at 1 *s.* 1 *d.* per ton	18	7	3			
Metage on 335 tons 10 cwt. at 3 *d.* per ton, half borne by the ship-owner	2	1	11			
				21	5	10
Tret 1 *l.* per cent. allowed buyers £. 2 11 –						
Discount 2 *l.* per cent. on two-thirds ditto* 3 8 –						
Scorage 1 *s.* per score ditto 18 –						
Bill stamps ditto 8 –						
	7	5	–			
Receipt stamps, postages and expenses	1	5	6			
				8	10	6
Factorage 3 *d.* per ton	4	3	11			
Del credere commission 10 *s.* per cent.	1	5	4			
				5	9	3
Insurance on 110 *l.* at 15 *s.* per cent.		16	6			
Policy duty		2	6			
					19	–
			£.	36	4	7
Paid ship-owner freight on 335 tons 10 cwt., at 8 *s.* 6 *d.* per ton				142	11	9
Balance left to pay for 339 tons of coals on board ship, being 4 *s.* 5 *d.* per ton				74	16	8
			£.	253	13	–

* On Hartley, Cowpen, Scotch, Welch and Blyth coals, the buyer is allowed 2 *l.* per cent. on the whole amount.

Cr.	Tons.	Cwt.		£.	s.	d.
By Smith & Sharp	98	0	at 15 *s.*	74	2	–
R. S. Allen & Son	49	0	– –	37	1	–
Capel & Slaughter	35	0	– –	26	9	–
T. Hubert	28	0	– –	21	3	6
W. Weaver	14	0	– –	10	11	6
Samuel Jones	21	0	– –	15	17	6
N. Pegg	28	0	– –	21	3	6
Pocock & Sons	14	0	– –	10	11	6
C. W. Tanner	28	0	– –	21	3	6
W. Locke	20	10	– –	15	10	–
	335	10	£.	253	13	–

(Errors excepted.)

London, 30 May 1836.

895. Mr. *Pease.*] Does that include all charges, from the working of the coals to their being on board, railroad dues and other expenses?—Yes.

896. *Chairman.*] The same charges are made on the inferior as on the superior coals?—Precisely; except the tret discount and scorage allowed to the buyers is less on a lower price than a higher one.

897. You have not given any bill for the best coals from the Tyne; do the charges given in on the cargo from the Wear apply exactly to those from the Tyne?—There is very little difference; there would be a trifling difference, inasmuch as from the Tyne they pay the lights; but from the Wear and the Tees they are borne by the ship.

898. What is the difference of charge on a cargo of coals now as compared to 1830, when you gave in an account to the Committee?—The charges are completely altered by the Act of Parliament, as will appear if the two accounts are laid together. I submit here a document which I think will explain it. Particulars of the charges on a ton of coals sold in London at 21 *s.*, for which, with 1 ½ *d.* metage, the buyer pays 1 *l.* 1 *s.* 1 ½ *d.*

[*The Witness handed in the same, which is as follows:*]

Mr. *James Bentley.*

16 June 1836.

PARTICULARS of the CHARGES on One Ton of COALS sold in *London*, at 21 *s.* with 1 ½ *d.* Metage, for which the Coal-buyer pays 1 *l.* 1 *s.* 1 ½ *d.*

	s.	*d.*	£.	*s.*	*d.*
City dues	1	1			
Metage 3 *d.* (half borne by the ship)	–	1 ½			
			–	1	2 ½
Tret 1 *l.* per cent.	–	2 ½			
Discount 2 *l.* per cent. on two-thirds, and scorage 1 *s.* per score	–	4			
			–	–	6 ½
Bill and receipt stamps, and incidental expenses	–	1 ½			
Factorage	–	3			
Del credere commission 10 *s.* per cent.	–	1 ¼			
			–	–	5 ¾
			–	2	2 ¼
Paid coal-owner for coals	10	9			
Insurance at 15 *s.* per cent. and policy duty	–	1 ¼			
			–	10	10 ¼
Balance to pay freight, loss of weight, delivery, &c.			–	8	– ½
		£.	1	1	1 ½

899. What is the amount paid now by the consumer on a ton of coals from its arrival in the river, as compared with what he paid in 1830?—My business being that of a factor I cannot correctly state this, as I know nothing of the coals after they are delivered from the ship.

900. Do not the city dues apply the sum of 1 *s.* 1 *d.* to all coals, whether the first or the lowest quality?—Certainly; the city dues are 1 *s.* 1 *d.* per ton for coals.

901. Is not the scorage 1 *s.* per score, the factorage 3 *d.* per ton, the same, whether the coal is of the first or the lowest quality?—Precisely the same.

902. But is not the discount and other charges *pro rata* to the amount?—Yes.

903. That is all the difference between the first and second quality?—Yes, in the charges.

904. Taking this account from the Tyne of coals sold at 15 *s.*, would they not be delivered to the manufacturer, if he was himself the purchaser, with the only additional charge of 1 ½ *d.* for the metage?—Yes, into his barge, and then he has his own expenses to pay from the ship home.

905. Mr. *Lambton.*] If the city dues were done away with, would not coal to the London consumer be so much the cheaper?—Yes it would; as a proof of that, when the duty was taken off, the coals were reduced in price, in the course of a month, to that sum, below the previous rate they were selling.

906. *Chairman.*] Are we then to understand when the duty was taken off coals the consumer had the full benefit of it?—Yes, most decidedly so.

907. Mr. *Pease.*] If a reduction of 2 *s.* takes place in the price paid by the consumer, by whom will it be borne; will any portion of that reduction be made by the coal-owner out of the amount he receives, or would it fall entirely on the ship-owner if he bought the coals on his own account, or on the coal-owner if they were sent by him on freight?—In the event of the coals, which had been sold at 21 *s.*, falling 2 *s.*, and the ship was on her own account, it would be a reduction from the freight of from 7 *s.* 11 *d.* to 5 *s.* 11 *d.*; if it had been on the cargo from the Tees it would reduce the sum which was got by the coal-owner from 7 *s.* 9 *d.* to 5 *s.* 9 *d.*; the reduction falling on one of those two parties, and not on any party connected with the trade after the delivery.

908. All reduction of the coals is so much out of the ship-owner's or coal-owner's pocket?—Decidedly.

909. And does not affect either the factor or the London merchant?—Certainly not.

910. You consider your own business simply as a factor or agent's business?—Precisely so. I have a statement showing the prices of an Imperial chaldron at market of Stewart's Wallsend coals, on the first sales of each month, from January 1823 to December 1831 inclusive; also the average price per year. The reason I went back to 1823, including the statement I had given in on my examination in 1830, was, since then we have changed the system in the sale of coals from measure to weight; and in order to show to this Committee the reduction that

has

has taken place in the price of coals, I have reduced and brought that calculation from measure into weight from the year 1823: Mr. *James Bentley.*

16 June 1836.

[*The Witness handed in the same, which is as follows:*]

A TABLE showing the Price per Imperial Chaldron at Market of Stewart's Wallsend Coals, on the first Sales in each Month, from January 1823 to December 1831 inclusive; also the Average Price per Year, 3*s.* 4*d.* per Chaldron, part of the London Duty of 9*s.* 4*d.* per Chaldron was taken off in April 1824, and the whole Duty ceased the 1st of March 1831.

Years.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Average Price per Chaldron per Year.	Average Price per Ton; this calculation is made at 25½ cwt. per chaldron, agreeable to the Act 1 & 2 Will. 4.
1823	51/	56/	48/9	46/3	44/9	43/	43/	44/9	43/9	45/6	47/9	46/6	46/9	36/8
1824	44/6	41/6	43/	43/	39/6	42/6	42/6	40/9	40/3	41/	42/6	40/6	41/9½	32/9¼ 4/12
1825	42/6	39/6	40/3	39/3	41/	38/	40/	39/9	41/9	42/	45/9	44/	41/1¾	32/3¼
1826	42/	40/6	38/	38/	36/9	35/9	37/3	34/6	34/	39/	33/6	37/	37/2¼	29/2
1827	34/6	36/6	41/9	38/	38/6	35/9	36/6	37/6	38/3	40/	42/9	41/	38/5	30/1½ 3/12
1828	38/6	38/	37/9	40/	38/3	37/6	36/6	37/6	37/6	39/6	39/	39/	38/3	30/
1829	38/	40/	34/9	33/6	33/6	32/6	31/6	30/9	34/6	36/	37/	38/6	35/0½	27/5¾ 7/12
1830	40/	41/	34/	35/3	33/3	33/3	34/6	34/6	37/	37/	36/6	39/	36/3¼	28/5¼ 5/12
1831	38/	36/	31/3	29/	35/	34/	31/3	31/6	32/	33/9	32/9	34/3	33/2¾	26/0½ 11/12

Witness.] I also submit a further statement since coals have been sold by weight, and these deserve the attention of every person, showing the very great reduction that has taken place in the price.

[*The Witness handed in the same, which is as follows:*]

A TABLE showing the Price per Ton at Market of Stewart's Wallsend Coals, on the first Sales in each Month from January 1832; also the Average Price per Year.

Years.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Average Price per Year.
1832	23/6	21/9	23/	24/3	23/9	21/	21/	22/	21/6	22/	22/6	21/9	22/4
1833	19/3	18/3	18/	22/6	18/3	16/9	15/6	15/6	17/3	18/3	21/	19/	18/3½
1834	19/3	18/6	17/6	20/3	19/9	19/	19/9	20/3	21/3	21/	24/	23/	20/3½
1835	21/9	22/9	21/6	22/	21/9	20/	20/3	21/6	21/3	21/9	23/6	22/6	21/8½
1836	23/6	22/6	21/9	23/	22/3	20/9							

911. From what documents are these taken?—They are taken from documents which I have in my possession, made up day by day, of the prices at which the coals were sold.

912. Are they of the total actual sales of Stewart's Wallsend coals, or the total amount of your own sales?—No; they are the prices from the first sales in each month.

913. Are they the average of the whole sales of the market or your own agency?—They are the market prices on that day of Stewart's Wallsend.

914. When was the duty taken off?—Three shillings and four-pence per chaldron was taken off in April 1824; the whole remaining duty of 6*s.* was taken off the 1st of March 1831.

915. By this table it appears the average price of the Stewart's in 1830 was 1*l.* 8*s.* 5¼*d.*; in 1831, 1*l.* 6*s.* 0½*d.*; in 1832, 1*l.* 2*s.* 4*d.*, showing a reduction of 3*s.* 8½*d.* between the years 1831 and 1832; and a further reduction in 1833 to 18*s.* 3½*d.* per ton, being about 7*s.* 9*d.*?—Yes; and the reduction between the years 1830 and 1833 inclusive was 10*s.* 1¾*d.*

916. How do you account for the rise in price, in the two following years, from 18*s.* to 1*l.* 1*s.* 8½*d.*?—The trade had got into that deplorable condition that it was impossible to exist and to have carried it on, unless the price had been raised.

Veneris, 17° *die Junii*, 1836.

MEMBERS PRESENT.

Mr. Hume.	Mr. Edward Curteis.
Mr. Wakley.	Mr. Aaron Chapman.
Mr. Bell.	Mr. Ingham.
Mr. Pease.	Mr. William Crawford.
Mr. Pusey.	Mr. Hector.
Mr. Lambton.	

MR. HUME, IN THE CHAIR.

Mr. *James Bentley*, called in; and further Examined.

Mr. *James Bentley*. 17 June 1836.

917. *Chairman.*] CAN you state whether any and what reduction of expense has taken place in the port of London as regards the factors?—I hold in my hand the charges on one chaldron of coals from the Wear sold in London, as by my evidence delivered in to a Committee of this House sitting in 1830, page 9, by which it will appear the charges on coals were then 8*s.* 4½*d.*

918. Is this a comparison to show the reduction which has taken place between that time and this?—Yes; the charges were then 8*s.* 4½*d.*, of which the buyers repaid 8*d.* per chaldron metage, and 1*d.* market-due per chaldron, for which credit was given by the factor to the coal-owner, leaving 7*s.* 7¼*d.* The buyer was allowed an ingrain of five per cent., which at the time that statement was delivered in was equal to 1*s.* 8*d.* per chaldron, making the charges altogether 9*s.* 3¼*d.*, and calculating the chaldron at 25½ cwt., equal to 7*s.* 3*d.* per ton. The charge on one ton of coal from the Wear, as appears by the accounts I delivered in yesterday, are 2*s.* 2¾*d.* per ton less the buyer's proportion of metage for weighing the cargo out 1½*d.*, leaving the whole charges at 2*s.* 1¼*d.*, and showing a reduction in the charges on coals of about 5*s.* 1¾*d.* per ton. There has also been a reduction of the charges which apply to the ship, and on reference to my evidence, page 138, the port-duty, which was then 2*d.* per ton on the ship's registered tonnage, has been reduced to ½*d.* per ton; the delivery of 222¼ chaldrons equal to 283 tons, which was then regulated by the Court of Aldermen, was 16*l.* 13*s.*, would now be done for 9*d.* per ton. The undertaker, who then procured the whippers for the delivery of the cargo, being now dispensed with, there is no charge for his services. The city meters having been abolished by Act of Parliament, the whole charge of 3*l.* 16*s.* 0½*d.*, the amount of the meter's account, is saved; in lieu of which the ship-owner now pays his proportion of weighing-out, 1½*d.* per ton. Consequently the saving to the ship will be the port-duty on 205 tons at 2*d.*, which was 1*l.* 14*s.* 2*d.*, is now at one halfpenny, 8*s.* 6*d.* The saving under that head would be 1*l.* 5*s.* 8*d.* The delivery of 222¼ chaldron, equal to 283 tons at 9*d.* per ton, is delivered for 10*l.* 12*s.* 3*d.* So that the saving under that head is 6*l.* 0*s.* 9*d.* The undertaker's commission, 18*s.* 6*d.*, is saved; the meter's bill, (which was in addition to 1*s.* 2*d.* per chaldron metage on the coals,) 3*l* 16*s.* 0½*d.*, from which deduct the ship-owner's proportion of metage for weighing-out, now charged on 283 tons at 1½*d.*, 1*l.* 15*s.* 4½*d.* The saving under that head is consequently 2*l.* 0*s.* 8*d.*, making a total saving to the ship of 10*l.* 5*s.* 7*d.*, being a reduction in the charges applicable to the ship-owners of about 8¾*d.* per ton.

The charges on one chaldron of coals from the Wear, sold in London, as per evidence on the Coal Trade in 1830 were		8*s.* 4½*d.*
of which the buyer repaid 8*d.* metage and 1*d.* market dues		9
		7*s.* 7¼*d.*
The buyer was allowed an ingrain of five per cent.		1 8
Together		9 3¼ per chaldron,
being at 25½ to the chaldron		7*s.* 3*d.* per ton.
The charges on one ton of coals from the Wear, as per statement now delivered in, are	2 2¾	
Less metage, repaid by the buyer	1½	
	2 1¼	
Showing a reduction in the charges on the coals of about		5*s.* 1¾*d.* per ton.

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	£.	s.	d.	£.	s.	d.
The port-duty on 205 tons, at 2 *d.* per ton, was	1	14	2			
Ditto ½ *d.* now, is	–	8	6			
				1	5	8
The delivery of 222½ chaldrons, equal to 283 tons, was	16	13	–			
Ditto 283 tons, at 9 *d.* per ton now, is	10	12	3			
				6	–	9
Undertaker's commission				–	18	6
Meter's bill was (in addition to 1 *s.* 2 *d.* metage on the coals)	3	16	–½			
Shipowner's proportion of metage now charged on 223 at 1½ *d.* per ton	1	15	4½			
				2	–	8
Being a reduction in the charges which apply to the ship of about 8¾ *d.* per ton			£.	10	5	7

919. In the bill alluded to in your evidence before the Committee in 1830, there is a charge of 9*s.* 5*d.* for Trinity dues, do you know whether any alteration has been made in that?—There has not been any alteration in the Trinity dues since that period, that I am aware of.

920. In the account before alluded to there is a charge of Trinity dues 9*s.* 5*d.*, there is a charge of 2*l.* 5*s.* for 45 tons of ballast at 1*s.* per ton, and 1*l.* 7*s.* for heaving duty at 12*s.* per score?—Those items being applicable entirely to the ship, I have not brought any account of the charges, and I am not aware there are any alterations in the charges at Newcastle. I have now confined myself to the charges which apply to the coals in the port of London.

921. The accounts now given apply solely to the coal-owners, while the account you rendered in 1830 applied also to the ship-owners?—Yes.

922. By this statement of yours the Committee understand there has been a reduction in the charges of the port of London of 5*s.* 1¾*d.* per ton, and also on the ship charges a reduction of 8¾ *d.* per ton?—Precisely so.

923. Have you any account of the price of Russell's Wallsend since 1829?—Russell's Wallsend coal having ceased to be worked shortly after that period, I have prepared a statement of the price of Newmarch Wallsend from the year 1829 to the present, which I now hand in.

[*The same was handed in, and is as follows:*]

A TABLE showing the Price at Market of Newmarch Wallsend Coals, on the First Sales in each Month, from January 1830, also the Average Price per Year.

Year.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Average Price per Imperial Chaldron per Year.	Average Price per Ton; this calculation is made at 25¾ cwt. per chaldron, agreeably to Act 1 & 2 Will. IV.
	Per Imperial Chaldron:													
1830	35/3	39/	33/	33/	31/3	31/6	32/6	33/	34/6	34/9	33/6	37/6	34/0¾	26/8½ 1/6
1831	35/	33/9	27/9	25/4½	29/6	32/6	28/	27/9	27/9	30/	29/	31/6	29/9¾ 3/6	23/4½ 4/6
	Per Ton:													
1832	22/	20/	20/	20/6	20/6	18/9	19/	20/	19/	20/	20/3	19/6	– –	19/11 1/6
1833	17/6	17/	17/6	20/	15/3	13/	13/6	13/9	14/4½	16/3	18/4½	17/7½	– –	16/2 3/6
1834	16/3	17/	14/7½	16/3	17/4½	16/6	18/	18/3	18/	17/10½	22/	21/	– –	17/9 3/6
1835	20/	20/	18/6	18/6	18/7½	18/6	17/9	19/9	18/6	20/3	21/10½	20/6	– –	19/4 3/6
1836	21/3	19/9	19/	19/6	20/3	18/6	—	—	—	—	—	—	—	—

924. Are the Newmarch Wallsend coals of the same quality as Russell's Wallsend coals?—They did not rank so high in the market.

925. Are they the nearest to them?—There are others nearer, but I have not the means of giving so correct a statement of them.

926. In order to form a comparison, how much per ton lower in estimation are these than the Russell's Wallsend?—I should think from 9 *d.* to 1 *s.* 3 *d.* per ton; it depends on the particular period of the year; in the autumn they would rank nearer together; in the summer season there was a greater disparity in the price.

927. Would not Bewicke's Wallsend come nearer?—They certainly would; but I have

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I have not the means in my own possession of giving the price of Bewicke's; and I did not wish to bring before this Committee any document that I could not strictly deliver in as correct.

928. Can you state what was the price of these Newmarch Wallsend in 1829?—The average price of Newmarch during the year 1829 was 1 *l.* 5 *s.* 7 *d.* per ton.

929. Mr. *Pease.*] Are you aware whether an old colliery coming to work its pillars has an effect on the condition of the coal, without any deterioration of the quality?—Decidedly it has.

930. Do not the buyers at once detect a colliery that is so worked?—From the appearance of the coal, I should say they do.

931. *Chairman.*] Are the Committee to understand Newmarch Wallsend coal, which in 1830 averaged during the year 1 *l.* 6 *s.* 8 ½ *d.*, has fallen in 1832 to 19 *s.* 11 ½ *d.*; in 1833 to 16 *s.* 2 *d.*, has risen again to 19 *s.* 4 ¼ *d.* in 1835?—Yes; such was the case.

932. Then, if we compare this statement with the statement delivered in in 1830 of Russell's Wallsend from the year 1823, when the price was 2 *l.* 3 *s.* 3 ¼ *d.*, down to the year 1829, when the price was 1 *l.* 13 *s.* 10 ¾ *d.*, we shall have a fair comparison of the reduction of coals of nearly the same quality?—Decidedly so.

933. In 1830 you produced before the Committee a statement of the supply at market, of the number of ships sold and unsold on each day between the 1st of September and the 31st of December 1829; can you produce a similar list for the same period of last year?—I have prepared a statement, which not only includes that period, but takes in the whole of the years 1833, 1834, and 1835, and which I now deliver in.

[*The Witness handed in the same, which is as follows:*]

1833.	Ships at Market.	Ships Sold.	1834.	Ships at Market.	Ships Sold.	1835.	Ships at Market.	Ships Sold.
Jan. 2	92	30	Jan. 1	94	40	Jan. 2	250	39
4	66	30	3	138	32	5	247	54
7	60	25	6	152	32	7	220	83
9	59	20	8	124	40	9	165	29
11	58	26	10	92	40	12	164	32
14	38	14	13	59	22	14	205	30
16	32	12	15	37	12	16	179	29
18	33	10	17	29	10	19	255	46
21	102	50	20	20	6	21	230	82
23	67	35	22	17	6	23	166	32
25	32	10	24	48	24	26	143	30
28	18	8	27	106	56	28	177	36
30	138	40	29	118	80	30	221	48
Feb. 1	151	80	31	125	50	Feb. 2	209	51
4	73	56	Feb. 3	95	45	4	182	48
6	56	26	5	50	26	6	182	57
8	98	30	7	25	10	9	219	41
11	103	50	10	41	12	11	248	49
13	66	40	12	48	22	13	200	42
15	32	15	14	55	46	16	222	50
18	131	65	17	238	150	18	222	41
20	113	50	19	98	45	20	203	46
22	89	30	21	60	35	23	168	52
25	78	30	24	148	45	25	140	54
27	48	15	26	121	45	27	100	41
March 1	29	12	28	129	42	Mar. 2	163	49
4	34	25	Mar. 3	176	62	4	134	44
6	27	18	5	137	52	6	112	38
8	164	110	7	100	40	9	173	43
11	100	50	10	81	32	11	180	51
13	77	40	12	180	28	13	149	54
15	15	8	14	165	62	16	108	49
18	45	35	17	178	55	18	233	44
20	42	34	19	160	45	20	211	60
22	43	32	21	129	46	23	185	59
25	38	25	24	76	35	25	255	61
27	14	8	26	96	34	27	197	51
29	22	16	28	Good Friday		30	173	54
April 1	44	35	31	99	52	April 1	146	37
3	110	75	April 2	133	45	3	114	40

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1833.	Ships at Market.	Ships Sold.	1834.	Ships at Market.	Ships Sold.	1835.	Ships at Market.	Ships Sold.
April 5	Good Friday		April 4	92	45	April 6	190	46
8	106	70	7	61	32	8	157	42
10	56	30	9	96	50	10	118	39
12	34	18	11	76	42	13	210	42
15	354	220	14	40	24	15	207	58
17	163	90	16	21	14	17	Good Friday.	
19	87	50	18	8	5	20	252	55
22	65	35	21	103	60	22	222	73
24	75	48	23	101	43	24	211	50
26	116	45	25	110	44	27	253	43
29	109	55	28	141	28	29	263	49
May 1	177	65	30	118	54	May 1	219	54
3	125	46	May 2	90	48	4	170	50
6	107	47	5	97	34	6	157	61
8	81	50	7	65	36	8	113	48
10	69	50	9	34	16	11	128	37
13	110	42	12	175	55	13	197	44
15	151	46	14	134	65	15	247	30
17	129	60	16	110	32	18	238	38
20	104	65	19	96	44	20	203	40
22	67	32	21	71	26	22	163	37
24	105	40	23	111	36	25	204	51
27	193	70	26	91	40	27	161	35
29	158	80	28	118	35	29	303	42
31	72	35	30	84	34	June 1	299	51
June 3	37	12	June 2	53	25	3	300	44
5	42	20	4	34	18	5	269	37
7	31	25	6	40	25	8	307	42
10	65	40	9	83	42	10	273	39
12	129	40	11	50	30	12	264	30
14	104	60	13	32	22	15	295	37
17	84	45	16	91	46	17	280	45
19	36	24	18	67	43	19	244	39
21	77	50	20	95	30	22	298	40
24	114	70	23	142	32	24	272	46
26	151	60	25	127	35	26	235	38
28	111	72	27	122	52	29	253	40
July 1	60	40	30	201	48	July 1	237	49
3	21	12	July 2	167	37	3	190	44
5	95	70	5	162	38	6	162	40
8	88	45	7	128	50	8	160	44
10	108	55	9	82	41	10	184	46
12	62	35	11	111	38	13	208	44
15	39	26	14	137	47	15	228	46
17	19	16	16	117	54	17	207	49
19	3	2½	18	157	35	20	182	45
22	138½	98½	21	136	43	22	212	45
24	82	65	23	108	43	24	208	41
26	87	60	25	82	38	27	174	36
29	58	32	28	214	48	29	140	41
31	62	32	30	207	56	31	107	34
Aug. 2	105	60	Aug. 1	181	45	Aug. 3	219	48
5	72	40	4	205	51	5	187	50
7	71	40	6	174	53	7	155	52
9	49	22	8	126	44	10	230	37
12	48	28	11	199	48	12	216	53
14	70	40	13	191	41	14	179	48
16	33	26	15	227	43	17	207	40
19	45	35	18	251	45	19	251	54
21	73	55	20	216	53	21	206	46
23	74	48	22	227	39	24	166	36
26	130	80	25	236	41	26	135	46
28	60	35	27	223	62	28	114	42
30	39	24	29	207	61	31	167	49
Sept. 2	61	42	Sept. 1	176	57	Sept. 2	149	48
4	104	75	3	119	50	4	104	48
6	62	52	5	112	48	7	218	42
9	32	10	8	173	59	9	198	38
11	82	50	10	169	60	11	189	53
13	38	20	12	127	40	13	220	62
16	71	35	15	208	67	16	283	63
18	34	20	17	165	55	18	249	55

(*continued*)

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1833.	Ships at Market.	Ships Sold.	1834.	Ships at Market.	Ships Sold.	1835.	Ships at Market.	Ships Sold.
Sept. 20	37	24	Sept. 19	114	51	Sept. 21	210	54
23	110	75	22	139	57	23	177	56
25	46	32	24	193	47	25	136	40
27	18	13	26	188	47	28	179	57
30	25	20	29	152	49	30	221	68
Oct. 2	32	25	Oct. 1	189	57	Oct. 2	194	56
4	102	90	3	139	51	5	150	53
7	140	116	6	96	52	7	178	57
9	65	42	8	52	40	9	300	65
11	81	45	10	57	41	12	277	75
14	80	25	13	216	62	14	304	72
16	72	45	15	164	63	16	254	76
18	65	45	17	163	55	19	199	66
21	134	80	20	132	60	21	135	64
23	50	22	22	174	66	23	82	64
25	33	18	24	110	66	26	63	47
28	38	20	27	148	61	28	54	39
30	73	48	29	98	63	30	108	67
Nov. 1	29	14	31	49	37	Nov. 2	175	64
4	68	55	Nov. 3	52	43	4	191	70
6	199	135	5	119	57	6	130	74
8	125	55	7	92	32	9	112	70
11	160	70	10	68	41	11	52	42
13	100	35	12	136	53	13	102	67
15	61	45	14	85	65	16	106	66
18	19	8	17	90	56	18	52	34
20	8	6	19	223	60	20	28	22
22	32	25	21	175	64	23	231	75
25	120	93	24	113	45	25	176	49
27	240	155	26	106	57	27	128	18
29	102	45	28	59	38	30	124	29
Dec. 2	77	34	Dec. 1	80	37	Dec. 2	118	41
4	51	16	3	110	48	4	83	38
6	86	35	5	186	47	7	128	44
9	114	32	7	215	46	9	382	68
11	147	94	10	209	59	11	425	96
13	185	85	12	298	64	14	334	79
16	215	166	14	279	55	16	259	58
18	166	80	17	280	43	18	279	56
20	91	40	19	349	42	21	435	111
23	53	18	22	322	45	23	338	97
25	—	—	24	356	63	25	—	—
27	104	20	26	337	27	28	283	31
30	98	18	29	323	44	30	305	42
			31	282	32			

934. That includes the 14 months when the trade was open?—Yes; it was a fighting trade in 1833, and partly in 1834.

935. Consequently that account shows the state of the market during the fighting trade and during the existence of the agreement?—Yes.

936. You were asked in 1830, in regard to the vend, whether you had heard of any inconvenience arising from that as to the loading of ships in the north; will you state what is your opinion on that subject since the renewal of the agreement in 1834?—I have heard of the detention that has at times occurred in loading; but I have not heard any particular complaint of detention in the north.

937. What effect, in your opinion, had the open trade on the price of coals in London?—The effect of the open trade on the price of coals in London was a considerable reduction, as will appear by the statement which I have handed in.

938. By the account you have delivered in, it appears in 1833 the price of Stewart's Wallsend had fallen to 18*s.* 3½*d.*, (the price having risen in April, the month after the vend began, from 17*s.* 6*d.* in March, to 20*s.* 3*d.* in April;) the average of the year 1834 being 20*s.* 3½*d.*; is that the reduction you allude to?—That is the reduction in 1833 to which I allude.

939. Mr. *Pease.*] That is taken on Stewart's Wallsend coals?—Yes.

940. I observe you state the average of the Stewart's Wallsend coals to have been 18*s.* 3½*d.* in the year 1833, and the average of the same coals to have been 21*s.* 8½*d.* in 1835, the difference being 3*s.* 5*d.* per ton; do you consider that a fair criterion of the reduction or augmentation of the value on other kinds of coals?

coals?—I should say that the generality of other coals had not advanced in that proportion; and I am prepared to deliver in a statement of the average price of all sorts sold on four market-days, which will prove to this Committee that when the best coals sold at from 1 *l.* 1 *s.* 6 *d.* to 1 *l.* 1 *s.* 9 *d.*, the average price did not exceed 19 *s.* 1 ½ *d.* per ton. Mr. *James Bentley.* 17 June 1836.

941. Are the prices of each coal correctly given in?—The prices of coals in this statement I believe are perfectly correct; the parties have pledged themselves to this, and I venture to say, taking the prices of coal at market, as quoted generally to the public, although there may be some errors, on the whole are as fairly stated as in the prices-current of any articles of low value.

[*The Witness handed in the document, which was as follows:*]

APRIL, 1836.	20th.	22d.	52th.	27th.
Sunderland—	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*
Bell's Primrose	- -	- -	16 6	—
Lambton Primrose	19 9	—	—	—
Wallsend, Braddyll's	21 6	21 3	21 3	21 9
Ditto Hetton's	21 6	21 6	21 3	21 9
Haswell	21 6	21 —	21 —	21 6
Lambton's	21 —	21 —	21 —	21 6
Lyon's	- -	- -	20 3	—
Russell's Hettons	21 9	21 9	—	—
Stewart's	21 3	21 3	21 —	21 3
Pemberton	- -	- -	18 9	—
Blyth, Scotch, Welch, and Yorkshire—				
Cowpen Main	18 3	- -	- -	18 9
Blyth	- -	- -	16 3	—
Hartley	- -	19 9	19 9	—
Netherton Main	17 9	- -	18 3	17 9
Wallsend, Henderson	- -	18 6	18 6	—
Stockton—				
Dixon's Butterknowl	- -	17 6	17 6	—
Wallsend, Adelaide	20 6	—	—	—
Ditto Gordon	20 6	- -	20 6	—
Hartlepool	- -	21 6	- -	21 9
South Durham	- -	20 6	20 6	—
St. Helen Tees	20 9	- -	- -	20 9
Tees	21 —	20 9	21 —	21 —
Tees Tanfield	- -	- -	- -	15 —
West Hetton	- -	- -	19 —	19 3
Victoria Tees	20 —	—	—	—
Adair's Main	18 3	18 —	18 3	—
Bensham	- -	- -	16 6	16 6
Dean's Primrose	17 —	—	—	—
East Percy	- -	17 6	—	—
Holywell Main	19 3	19 —	19 —	19 —
Holywell Reins	16 9	—	—	—
Leaze's Main	- -	15 9	15 9	16 —
Ord's Redhugh	16 —	16 —	16 —	16 3
Burden Main	19 3	- -	19 3	19 3
Pontop Windsor	16 3	16 3	16 3	16 3
Ditto Stanhope and Tyne	- -	16 3	- -	16 3
Russell's High Main	16 9	- -	16 9	—
Shipcote	- -	16 —	- -	16 —
South Pontop	15 —	15 6	—	—
South Hartley	19 6	- -	18 —	17 9
Stormont Main Gas	15 9	- -	- -	15 6
Tanfield Moor	20 3	20 3	19 9	19 9
Townley Glebe	18 —	17 9	17 9	17 —
West Hartley	20 —	20 6	- -	19 9
Willington	- -	- -	- -	20 6
Wylam Moor	- -	19 —	- -	19 3
Wallsend, Bell & Brown	- -	—	—	—
Ditto Bewicke	20 6	20 9	—	—
Brown's	- -	- -	- -	19 3
Gosforth's	20 9	—	—	—
Hilda	20 —	19 9	19 6	19 9
Hotspur	- -	20 —	20 3	20 3
Heaton	20 6	- -	20 6	20 6
Killingworth	20 3	20 3	20 —	20 3
Newmarch	19 6	19 3	19 6	—
Northumberland	19 9	19 9	—	—
Peareth	- -	- -	- -	17 —
Perkins	- -	- -	- -	18 6
Riddell's	20 3	20 —	—	—
	696 6	613 9	625 3	642 6

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AVERAGE Price of COALS, on all Sorts, sold on four Market-days, viz.:—

1836:	Sorts.		s.	d.		s.	d.	
April 20	36	sold for	696	6	Average price	19	4	per ton.
— 22	32		613	9		19	2	—
— 25	33		625	3		19	—	—
— 27	34		642	—		19	—	—

	s.	d.	
Average price of four market-days	19	1½	per ton.
Half metage repaid by buyer	—	1½	—
	19	3	—

		s.	d.	
Average freight paid from the Tyne		7	9	per ton.
——	Wear	8	6	—
——	Tees	8	9	—
——	Hartlepool (8*s.* 3*d.*, 8*s.* 9*d.*)	8	6	—
——	Scotch ports	9	—	—
		42	6	—

	s.	d.	
Average freight	8	6	per ton.
Insurance	—	1¼	—

London Charges:

	s.	d.		
City dues, 1 *s.* 1 *d.* per ton, per Act of Parliament	1	1		
Half weighage	—	1½		
Allowance to the buyer of tret, discount, and scorage	—	6		
Factorage, 3 *d.*, *del credere* commission, 1 *d.*	—	4		
Stamps and petty expenses	—	1¼		
	2	1¾		
			10	9 —

Leaving to pay first cost and charges on shipment — — — — 8 6 per ton.

The delivery of the cargo in London costs 9*d.* per ton, paid by the ship-owner.

942. You stated before the immediate effect of doing away the vend was to lower the price of coals; but that on an average of months or years you did not think the price generally would be lower; is that your opinion still?—I had the honour of giving that opinion; I see nothing in my experience since that time to alter it: I am very decided that it is to the benefit of the population in this metropolis and the country at large supplied with sea-borne coals, that a regulation should exist, inasmuch as it has secured to the public a continued supply at a very low, and I really cannot say remunerating price to the coal-owner.

943. You stated also you were satisfied if the low prices that had existed during the fighting trade had continued, that a number of collieries would be closed?—That opinion was formed from my knowledge as a coal-factor.

944. You state that a regulation in your opinion is useful to the public as well as to the proprietors; if the effect of that regulation should be to prevent the opening of new collieries in any other part of the country, would your opinion of the advantage of a regulation still continue?—Most decidedly so; I would prevent, if I had the power, the opening of new collieries to the waste and destruction that is now taking place in coals.

945. State what that waste and destruction is, or how it takes place?—My opinion is formed from the information I have respecting the screening of coals in order to enable the coal-owners to compete with each other, and by which an immense loss of coal takes place.

946. That opinion then has allusion to the loss which arises in not being able to sell the screened or refuse coal?—It arises in this way; the collieries, in order to compete with each other, and to get their coal sold when there is a fighting trade, screen them high to obtain a better proportionate price.

947. Are the Committee to understand by that means the proprietor would lose that portion thrown off in refuse?—Yes.

948. Would not the consumer benefit by getting the coal in better condition and at a cheaper price?—The consumer, if he paid 2*s.* less for his coals than they could

could be produced for, would be benefited by that 2*s.* in the same manner as a merchant going into a glutted market, whether of cotton, timber, or any other article selling under the price at which it could be imported for.

949. Your opinion is, the consumer would be benefited; but the coal-owner would suffer?—Undoubtedly.

950. Mr. *Ingham.*] You have also stated the public would suffer by the destruction of an article not reproducible?—That is the foundation on which I build my evidence; I say the public are losing that article which may at some period of time be valuable, and which would now be destroyed in consequence of competition.

951. *Chairman.*] Are we to understand from you that during the fighting trade coals came to the market in a better condition; that is, rounder and more suitable to the market than they come now when the vend exists?—I only know this from information; and my opinion is that they did.

952. Do you form the opinion you have now given of the advantage of restricting the amount of sales, to any doubt in your mind of there being plenty of collieries of good quality in other parts of the country?—It is not from any immediate doubt.

953. Do you not consider that by competition the expense of bringing coals to market might be very considerably reduced, and if so, would not the consumer benefit in proportion as long as the competition remained?—Decidedly the public would benefit from any reduction in the price; but it would only be so long as the supply could be continued at that reduction.

954. So long as the supply could be brought?—Undoubtedly.

955. Mr. *Lambton.*] In your opinion, from your knowledge and experience of the coal-trade, why could that reduction not continue?—Inasmuch as it would be impossible to continue a losing trade (for no man will carry on a losing trade long, he may do so for a few months in the expectation and hope of a reaction), but a number of collieries must eventually have been laid in.

956. Then it is your opinion the public consumer can only get a lower priced coal, when the coal-owner is not to get a remunerating profit?—Precisely.

957. Mr. *Bell.*] You said several collieries would be laid in; are you not aware several collieries were laid in in the last fighting trade?—Yes, there were some.

958. Mr. *Pease.*] You stated your knowledge of the pecuniary transactions of the coal-owners gave you indubitable proof of the correctness of your opinion?—Decidedly so.

959. Are you not aware the impression you appear to have received of the ruinous state of the coal-trade was equally well known and entertained in the north during the fighting trade?—Undoubtedly it was.

960. Then give me your opinion whether a knowledge that a trade is in a ruinous state is more likely to lead to the opening of fresh mines and coal fields, than a knowledge that it is on a settled basis in which a profit may be secured to all parties embarking in it?—Most decidedly; no man, in my opinion, would think of opening a colliery if he knew he was to lose money by working it.

961. There has been a regulation for the last two or three years?—Yes.

962. Are you aware whether that has not led to the opening of coal mines and embarking of capital in collieries to an extent quite unprecedented in the northern collieries?—It has been so, I believe.

963. Have you any doubt of the fact?—Not the least.

964. Mr. *Bell.*] Can you state to the Committee how long the regulations have lasted with only little interruptions?—I am not prepared to say how long, but ever since I knew the trade, and, in fact, my firm belief is, the coal trade cannot be carried on without a regulation.

965. Mr. *Pease.*] You have spoken of the effect of this regulation on the London trade; take your own paper in your hand, and state to me what was the state of the market in January 1833, in an open trade, as to the quantity of coals in the river ready for the supply of the metropolis?—On the 2d of January 1833 we had 92 ships at market, all of which were offered for sale, and but 30 sold.

966. Cast your eye down the return of ships for that month, and give a rough idea of the average number of ships at market during that month?—On all the market days in January there were 795 cargoes, which includes the ships left on each previous market-day; the average number was 61.

967. State the number of ships in January 1835?—Two thousand six hundred and twenty-two, making the average number 201; but the actual arrivals in January 1833 were 370 ships, and including 88 left unsold at the close of the previous

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previous year, made 458 ships; in January 1835 the arrivals were 506 ships, which, with 250 left unsold at the close of the previous year, made 756.

968. Will you state the number of ships at market on the 2d of January 1835, as you have given that day in the year 1833?—There were 250 ships.

969. Carrying your memory through your experience, what is the longest detention of the trade, owing to storm preventing arrivals, that you remember in the river Thames?—I think a month or six weeks.

970. What would have been the comparative state of the metropolis in January 1833, without regulation, as compared with January 1835, with regulation, had such a stoppage taken place?—Coals must have risen very considerably in 1833 from the supply that came to market; whereas in 1835 they would have made but a very small advance, according to the situation of the ships in case of frost.

971. Would there have been any power of meeting the demand whatever in 1833?—I think it might have been difficult to have met the demand, had there been a stoppage, unless there had been previously a large supply; and with reference to the returns I have given of ships in the market on the first day in January 1833, I should state, there may have been a good many previously sold which had not delivered their cargoes; but the same would apply to January 1834 and 1835.

972. The comparison is as 250 is to 92?—Yes.

973. Mr. *Lambton.*] You have always had a great excess of supply of coal in the river?—Ever since the introduction of steam in the navigation of shipping, the coal trade has quite changed; before we knew anything of steam in the towing of ships out of the Tyne, we have been without a supply for a month or six weeks together, and then the buyers used to come down and buy, on the arrival of a fleet, not only what coals they required, but a stock, in order to guard against the contingencies of a long easterly wind. The trade then held in warehouses and in craft a sufficient supply, according to their estimation, for from two to three months; but since the introduction of steam I believe the trade often come down to purchase for their present wants, knowing that they have in the river always a sufficient supply to meet every demand.

974. Suppose the public had demanded a supply, say of one-third more than was in the river, could not the collieries then existing, with whom you have had, as a coal-factor, communication, have supplied that quantity?—There is no question about their power to supply; they would supply double the quantity that is required.

975. From your connection and communication with these collieries, have they not always stated they have a considerable power of supply, if it was required?—Yes.

976. Mr. *Bell.*] You mean the collieries now open are capable of supplying double the quantity?—My opinion is, they are capable of supplying double the quantity if they were at full work.

977. Mr. *Chapman.*] These large collieries being able to supply a great increase of quantity beyond what they do, if they were to go to the full extent of their power, would they not swamp the small collieries?—Most decidedly.

978. Now since these regulations, have you not had a greater steadiness of price in your market winter and summer, taking the season throughout?—We have comparatively little variation.

979. Is it not in your recollection that during the summer months, when the trade was bad, ships went away out of the trade?—Invariably they used to do it.

980. And when the autumn came was there not a considerable scarcity and a rising price?—It was as usual at the return of autumn.

981. And towards the extreme of winter were not the poor of this metropolis obliged to pay a very exorbitant price, in consequence of these fluctuations?—It generally was the case; and my opinion is, that since the regulations have been adopted by us, in bringing the ships daily to sale and keeping the prices steady, the poor of this metropolis have got their coals at a lower rate than they have done any preceding year, because they are obliged to come to market during the severe weather, and not like persons of opulence, who can lay in their stock in summer.

982. In consequence of this regular supply, is not the coal-merchant enabled to carry on his trade by a less capital, you having stated in former times they were obliged to have their warehouses and craft constantly filled?—As regards the stock of coal he is, to that extent.

983. You

983. You find no difficulty now, as far as regards the shipping your supply of coals?—None whatever.

984. They have fallen into the plan, and the regularity of the supply is beyond all former precedent?—Most decidedly; since the introduction of steam our market has been regularly supplied; previous to the regulations here by the factors we had continued complaints from ship-owners as well as coal-owners; as soon as the wind came easterly a large arrival took place. It was then the plan to sell the ships, without reference to their arrival, or whether the coal was required; the last ship up endeavoured to force a sale, in order to get before his neighbour; not that there was any particular demand for that ship, and which the buyer was only induced to purchase because there was another check, and without that check, which was the meter's list, there would then have been no buyers for the coals, beyond what the daily consumption required. If we were to sell 200 ships this day, the trade could not work them. If the factors were to go down to the Coal Exchange now, and offer 150 ships, the buyers having 100 already at work, would not be able to purchase, except with the view of putting them into warehouses; because they got them at a considerable reduction and in the expectation of a reaction.

985. Are the Committee to understand, from your long experience, the trade is in a healthy state, as far as regards the consumer, the producer, and the carrier?—I believe sincerely that the trade never was in a better state of regulation. Under the old Act of Parliament we were compelled by penalties to transact the business in a peculiar way; now we have adopted such a system as appeared to men of business best calculated to promote the interest of the trade, and I may say, the interest of the public at large.

986. Mr. *Ingham.*] The ship-owners at the north have very gladly come into the regulation as to the vend in London?—Some of the ship-owners in the north have been desirous for years that some plan of rotation should be adopted here in the sale.

987. In point of fact it emanated from them, did it not?—I believe the idea first emanated from them; there were general complaints of giving the property away, on arrival of a fleet, and I believe every person connected with the ship-owners must know the very ruinous state many of them were brought to by the fighting system, and were as great sufferers as the coal-owners; I will deliver in to the Committee a statement of the rates and freight which I have paid myself since 1818.

988. Mr. *Pease.*] From your constant communication with the merchants and buyers of coals, will you state your impression as to the effect of the non-regulated trade on the profits and prosperity of that branch of business in the metropolis?—As far as my opinion goes, I should say that a steady trade was much better for them, because, what they require is confidence in the market that the prices will not go lower; unless they know they are purchasing coals at the lowest price they will not extend their purchase beyond the immediate quantity required day by day.

989. Did not those fluctuations introduce a very harassing degree of embarrassment into the trade as between the factors and buyers?—We generally transact business together as well as any trade ever did; there are but few disputes.

990. And no difficulty was experienced in regulating the prices and making the sales?—I am not aware of any particular difficulty having arisen; of course when the market was in that glutted state, the coals became almost unsaleable.

991. Mr. *Wakley.*] Do you know of any other trade in which regulations similar to those in the coal trade exist with reference to one of the necessaries of life?—I do not; but I believe there is not any other trade in the world to be compared to the coal trade; it is a peculiar trade of itself.

992. Mr. *Lambton.*] Is not its greatest peculiarity its excess of power of supply?—It is one of them, certainly.

993. *Chairman.*] You have said the coal trade could not exist without a regulation; are you aware how the Scotch trade is conducted?—I have some knowledge of it, being factor for Lord Elgin's colliery, which coals are sent to this market.

994. Is there any regulation among the coal-owners in Scotland?—I am not aware that there is any regulation; but this much I believe, that Lord Elgin would not send a coal to this market if there was a fighting trade; he would be totally excluded.

995. Is not Lord Elgin the only Scotch colliery that comes to London?—No; there is Sir Philip Durham's coal, and some few others.

996. What is the proportion?—It is but small.

997. Are

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997. Are not English coals sold in Scotland?—I have no doubt of it.

998. Mr. *Pease.*] Is not that a proof the price of Scotch coals is above the regulated price in Durham and Northumberland?—Undoubtedly it is; and also a proof they do not find this market to answer.

999. You have stated in your evidence in 1830, one reason for supporting the regulation was, it secured a regular supply?—Yes.

1000. Have you not now stated that the trade in coals is almost entirely altered since the introduction of steam?—It is.

1001. The supply of ships has therefore been more regular in all states of the weather; and that consequently, there would be less of irregularity, whether there was any vend or not?—That would be the case as compared with the trade some years back.

1002. Was steam in use in 1833?—Yes.

1003. *Chairman.*] Has not steam since 1830 become more generally applicable as tugs to take the vessels out and in, in the north, as compared to what it was in 1830?—Steam has been used upwards of 12 years in towing vessels out.

1004. In what way has steam altered the trade, which you have last stated?—I have explained to the Committee, that before the introduction of steam, an east wind was a complete lock to all the harbours on the east coast.

1005. You have now stated there were less variations in the supply than formerly took place?—Yes.

1006. Do you sell the greatest quantity of coals when the price is cheap, or when the price is dear?—I really do not believe it makes any difference, except that they may go a little further inland, by which the sale would be increased; and for this reason, persons of opulence are not guided by the difference in price, and poor people only burn coal to any extent during the severe weather.

1007. You have stated during the fighting trade the poor paid higher for their coals?—I do not think I have stated that; what I stated was, that the shipping left the trade in the summer, when the supply fell off, and in consequence the prices advanced in the autumn and winter; we had then a large supply of shipping again brought into the trade; but in consequence of the previous short supply coals generally rose; but that had not reference to the particular year of the fighting trade.

1008. Has not the price of coals in every year of the fighting trade been lower than during the others?—It has.

1009. How is it possible for you to reconcile the answer you have given, that the poor paid higher during that year of open trade for their coals than during the years of the regulation?—I think the answer I have given is perfectly consistent, as when the trade has been open, the fluctuation in the prices has always been greater, and that at the period the poor required to purchase.

1010. During the last years of the fighting trade in 1833, when the average price of the whole year amounted to 16*s.* 2*d.* for Newmarch Wallsend, I wish to know whether the poor and all classes must not have had their coals cheaper?—Most decidedly, for a short period; but it could not be continued.

1011. Mr. *Ingham.*] Have you not said that cheapness was the effect of a system which occasioned a waste of the article itself in the north, beside the destruction of the property of the coal-owner?—I have stated it tended to do so.

Mr. *Henry Morton*, called in; and Examined.

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1012. *Chairman.*] DO you reside in the north?—I am the principal agent of the Earl of Durham, and reside in the north.

1013. The river Wear forms part of the regulation, does it not?—Yes it does.

1014. Can you give an account of the quantity of coals exported by the different collieries on the Wear?—The paper I hold in my hand is the list of the collieries and the present prices; in the first column is the basis of each colliery; the second is the number of tons sold, and the third and fourth column is the price in Newcastle chaldrons and in tons shipped on board at Sunderland.

[*The Witness handed in the same, which is as follows:*]

PRICE of COALS upon the River *Wear*, free on Board; Basis 1836.

Newcastle Chaldron, 53 Cwt.	In Tons.	NAMES OF COLLIERIES.	Newcastle Chaldrons.	In Tons.
24,000	63,600	Beamish	19/6	7/4 ½
23,000	60,950	Falfield	19/6	7/4 ½
138,000	365,700	The Earl of Durham's Wallsend	28/6	10/9
—	—	Ditto Primrose	24/6	9/3
—	—	Ditto Neesham	24/6	9/3
138,000	365,700	Marquis of Londonderry's Wallsend	28/6	10/9
—	—	Ditto Eden Main	24/6	9/3
138,000	365,700	Hetton Coal Company's Wallsend	28/6	10/9
—	—	Ditto Lyon's Main	24/6	9/3
40,000	106,000	North Hetton Wallsend	28/6	10/9
—	—	Ditto Lyon's Main	24/6	9/3
45,000	119,250	South Hetton Wallsend	28/6	10/9
—	—	Ditto Richmond Main	24/6	9/3
18,000	47,700	Shield Row	—	—
—	—	Haswell Wallsend	28/6	10/9*
—	—	Ditto Easington Main	24/6	9/3*
564,000	1,494,600	* Out of the regulation.		

Out of those prices 2*d.* per ton is paid by the coal-owners to the commissioners of the river Wear for the improvement of the port of Sunderland.

1015. Can you give an account of the actual vend?—I hold in my hand a paper which is an account of all the coals shipped in the river Wear at Sunderland, as taken under the commissioners of the river Wear for improving the port of Sunderland, who collect so much per chaldron, and which is levied every half-year from the coal-owners. It is taken half-yearly on the 30th of June and the 31st of December.

[*The Witness handed in the same, which is as follows:*]

RIVER *Wear* VEND of COALS from the 31st Day of December 1834, to and with the 30th Day of June 1835; sworn to by the Staithmen of the several Coal-owners undermentioned, before the Commissioners of the River *Wear*, on the 15th day of July 1835.

	Glass Houses, Lime Kilns, &c. exempt from Duty:	Shipped chargeable with Duty.
	Chaldrons.	Chaldrons.
The Trustees of the Marquis of Londonderry, Penshaw	1,345	5,222
Ditto ditto Sunderland	- - -	17,229
Earl of Durham Collieries	1,236	55,973
	611	—
The Hetton Coal Company	2,093	52,519
William Russell, Esq., and Co.	1,506	982
William Russell, Esq., for North Hetton	760	17,393
Morton John Davison, Esq.	152	10,201½
Henry Stobart, Esq., and Partners	3,590	13,765
William Bell, Esq., and Partners	- - -	6,498
Pemberton & Co.	- - -	516
TOTAL	11,293	180,298½

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River *Wear* Vend of Coals from the 30th day of June to and with the 31st day of December 1835; sworn to by the Staithmen of the several Coal-owners undermentioned, before the Commissioners of the River *Wear*, on the 20th of January 1836.

	Glass Houses, Lime Kilns, &c. exempt from Duty.	Shipped chargeable with Duty.
	Chaldrons.	*Chaldrons.*
The Trustees of the Marquis of Londonderry, Penshaw	1,630	7,481
Ditto ditto Wearmouth	-	23,020
Earl of Durham's Collieries	487	—
	1,125	71,296
The Hetton Coal Company	1,422	68,667
William Russell, Esq., & Co.	1,888	—
William Russell, Esq., for North Hetton	614	22,922
Morton John Davison, Esq.	128	8,975
Henry Stobart, Esq., and Partners	3,115	14,013
William Bell, Esq., and Partners	88	6,945
Pemberton & Co.	-	7,245
Total	10,497	230,574

Comparative Vends since 1824.

Years.	1st Half Year.	2d Half Year.	Total.	Years.	1st Half Year.	2d Half Year.	Total.
1825	239,187	262,856	502,043	1831	197,343	276,580	473,923
1826	238,836	279,449	518,285	1832	205,387	248,878	454,265
1827	227,283	266,387	493,670	1833	248,665	260,413½	509,078½
1828	233,947	266,654	500,601	1834	193,066	226,473	419,539
1829	259,081	305,847	564,928	1835	180,298	230,574	410,872
1830	231,091	292,466	523,557				

1016. Is this a correct account of all that has been issued?—All that is used in the manufactories; there are two columns, one of that which goes coastwise or foreign, the others are consumed on the river.

1017. And which are exempt from duty?—Yes; that document is very correct, because it is sworn to by each of the staithmen who superintend the shipping of coals, and at the bottom of the paper it comprehends from 1825.

1018. Were you a party to the last agreement that took place in November 1833 of coal-owners in the north?—There was no agreement in November 1833; it began in 1834, and I was then a party to it.

1019. Can you state the basis on which the Wear was included?—It is in the paper I have first delivered in; the basis of the Wear is 564,000 Newcastle chaldron, or 1,494,600 tons. There are collieries not in the regulation on the Wear.

1020. What collieries are those?—Haswell is one, and there is another, Monkwearmouth.

1021. Is not there another, Easington main?—There are altogether 12 collieries not in the regulation on the three rivers.

1022. State the names of those on the Wear?—Haswell, Urpeth and Monkwearmouth.

1023. What is the extent of issue of these three?—I do not know, because not being parties to the regulation, they send as many coals as they choose.

1024. Does not that paper from the commissioners tell you?—No; Haswell has not been more than 12 months opened, but the Monkwearmouth would be in that paper.

1025. State the highest and the lowest charge at which the coals there named can be brought to the surface?—That can only be answered very generally, because there is so much difference.

1026. State the highest and the lowest?—I should think from 9*s.* to 20*s.* a chaldron, or perhaps 22*s.* a chaldron.

1027. Taking the best coals, what is the actual expense in bringing them to the surface?—I have not had an opportunity of dissecting the accounts, having only received notice to attend here since I came to town; it would take a very long time

time to make a correct statement, because the expenses are so very different at different periods, and you must go over an average of nine or ten years to give anything like a correct account. If you are sinking a new shaft, or making new waggons' way, it so materially alters the price at which the coals can be brought to the surface, that it is impossible to give any accurate idea without an average was taken for a period of seven or ten years.

1028. Can such an account be prepared?—It might be, of course, but it would require two or three months to prepare an accurate account.

1029. Are the Committee to understand you have no account made up of the actual charges in bringing the best coals to the pit's mouth?—None.

1030. Have you any idea what the lowest actual expense is of bringing them up to the surface?—If there was nothing but merely the current expenses of working the colliery, without renewing any parts of the work or sinking new shafts, I could state it; but that might make from 7*s.* to 8*s.* a chaldron difference in the same colliery at different periods.

1031. Can you take any one colliery which is of the best kind; and state what you conceive it would be?—I have no account made up, and it would be merely a conjecture.

1032. What is the deepest colliery you have got on the Wear?—Two hundred and seventy-two fathoms.

1033. Which is that?—Monkwearmouth.

1034. Which is the shallowest?—Some not above 30 fathoms.

1035. Producing the same kind of coal?—No, not the same kind; the seams vary very much.

1036. Speaking of the best quality, what is the shallowest?—I should think 40 fathoms.

1037. Which would you call that?—I should call as one, one of Lord Londonderry's collieries at Rainton, and one of the Earl of Durham's at Lumley.

1038. Can you state the expense at which the Monkwearmouth one can bring a ton to the surface?—I cannot.

1039. Can you state that at which Lord Londonderry's can?—No.

1040. What is the greatest distance of any of the collieries from the river Wear?—I should think Shield Row colliery is about the greatest distance.

1041. How far is that?—I should think 14 or 15 miles.

1042. Can you state the expense of conveyance?—No.

1043. Mr. *Pease.*] Are you aware the best coal is worked anywhere at 40 fathoms on the Wear?—I should think the Broomside, which is from 40 to 50 fathoms deep.

1044. Are you prepared to state that there are some coals now working and sold on the Wear, which cost 22*s.* per chaldron into the waggons?—No, not into waggons; I meant at the port of delivery.

1045. What would you deduct from that for expenses from the pit's mouth, or bank to the ship's side?—Three shillings.

1046. You consider 19*s.* as about the highest price so far as regards current expenses to bank of the best coals wrought on the Wear?—Yes.

1047. State what that would be per ton?———

1048. You have stated you consider some of the coals working under the most favourable circumstances may not cost more than 9*s.* under like circumstances?—Perhaps not; such as those that are very shallow; but there are none of the best description of coal on the Wear that can be worked for 9*s.* per Newcastle chaldron.

1049. Will you state what you consider the lowest price the Hutton seam can be brought to bank for?—About 13*s.*

1050. Would the expense of transport to the ship's-side be pretty much the same in both cases?—Yes, 3*s.*

1051. *Chairman.*] Can you state as to the inferior coal now?—There are some inferior collieries situated at a great distance from the river that could work them very cheap; I should say, probably 9*s.*

1052. What kind of coal is that?—An inferior description of coal.

1053. Nineteen shillings per chaldron?—Yes.

1054. How much for carriage would you allow?—The carriage would be very considerable; the collieries I have alluded to are situated at a great distance from the river and have heavy way-leaves.

1055. What is the greatest expense of transit from the pit's mouth down to the ship?—I do not know exactly, because I have no connection with these collieries;

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the collieries I allude to, part of the way they go by railroad, and part by keels on the river.

1056. Consequently, the charge by water-carriage adds very much to the expense of the coal?—Very much.

1057. What is the proportion of the whole shipment that goes from the Wear of the first quality coals; supposing 100 the whole, what would be the amount of the first, second and third?—I can give that accurately by taking time to make the calculation; but I can only state now, that much the larger proportion would be of the best coal.

1058. Mr. *Pease.*] Are the different qualities of coals on the Wear occasionally wrought out of the same shafts?—Yes.

1059. So that the produce of the pit, bearing in mind the difference of the seams, will consist of two or three different qualities?—Yes.

1060. Having given in a paper as to the quantities from each mine, does your difficulty arise from not knowing what proportion of the vend here assumed as the vend of each colliery, is better, inferior or worst coals?—Yes.

1061. Is it in your power, by a little calculation, to give the Committee an approximate statement of the relative amounts of each?—Yes.

1062. Will you prepare a statement for the Committee?—I will.

1063. Can you state the price of the different coals on the Wear?—The first colliery is Beamish, which is 7*s.* 4½*d.* per ton on board at Sunderland, or 19*s.* 6*d.* per chaldron.

1064. Opposite to that I see 24 marked as the basis of the supply of the regulation; explain what that means?—The whole basis on the Wear consists of 564,000, and that is the proportion allotted to that colliery to vend out of every 1,000.

1065. Does that mark the utmost power of the colliery or only the quantity allowed to be sold?—It does neither; it neither marks the power of the colliery nor the quantity to be sold; any quantity, either more or less than this 24,000, may be sold, but this is the proportion in which it is to sell to the other collieries.

1066. Can the colliery raise more than that?—Yes; I should think considerably more.

1067. What proportion?—I am not acquainted with the colliery, but I conceive a third more.

1068. Now take the case of the Earl of Durham's collieries; is the basis estimated at 138?—Yes.

1069. Do you know what the powers of the same collieries are estimated at?—I believe about 360,000.

1070. About nearly three times the amount that is allotted to it?—Yes; I should beg to observe this 138 is merely hypothetical; it is not in my recollection that ever we sold as many as this basis; there is generally about 800 to the 1,000.

1071. Mr. *Pease.*] You have stated the powers of Lord Durham's collieries are estimated by the professional people in the trade as equal to a vend of 360,000 chaldron per annum; state under the regulation what quantity you have really vended; take the year 1835?—The first half-year was 71,296 chaldron, the second half-year was 55,973 chaldron, making an aggregate for the year of 127,269.

1072. *Chairman.*] Do you wish the Committee to understand, your powers being estimated to be 360,000 per annum, and your vend but 127,000, that at the same price Lord Durham would be glad to vend the amount estimated of those powers?—Certainly.

1073. Is the colliery capable of working in the proportion you have stated to nearly three times the amount?—Yes, that is the estimation put on it by professional viewers.

1074. Is that estimation put on the power of the present number of men employed, or what could be employed?——

1075. Mr. *Pease.*] In estimating the powers the elements are understood to be, the extent of the royalty, the quantities of coal won and ready for work, the mechanical powers for executing that work, and delivering and shipping the same?—Yes.

1076. *Chairman.*] Have any new collieries been opened in the Wear within the last 10 years?—Several.

1077. Do these new ones produce much coal?—Yes.

1078. Have any that existed in 1825 been shut up?—None that I recollect.

1079. Then

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1079. Then you have had a considerable accession as to the power of production?—Very great. There may be pits shut up; but there is no colliery shut up that was working in 1825; no royalty has been abandoned; when the coal is not very deep, it is more economical to sink shafts than carry them a long way under ground; when the pits are very deep it may be more economical to carry them a long way under-ground.

1080. By this paper you have given in for the last half-year, up to January 1836, it appears that the vend of coals, the entire export from the river Wear, amounted, in the year 1825, to 502,043 Newcastle chaldron?—Yes.

1081. While in the year 1835 the amount is only 410,872, showing a gradual decrease of nearly 100,000 chaldron; can you explain how that has taken place?—I can. Since the year 1825 Lord Londonderry has made a new harbour at Seaham (which does not come under the jurisdiction of the commissioners of the Wear), from which the greatest part of his coals are shipped.

1082. Then this return, which shows a decrease of quantity exported from the Wear, does not mark any decrease in the quantity produced?—No.

1083. You explain that by saying the new harbour of Seaham takes off the 100,000 which appears to be less?—Yes, and more.

1084. What has been the actual increase (including the export from Seaham) during the last 10 years?—I have no means of getting at the quantity shipped at Seaham. One or two collieries have left the Wear, and are shipping on the Tyne also.

1085. Although these papers show a difference of quantity, yet are we to understand the aggregate produce of the Wear district has increased?—Much increased.

1086. Can you state how many days in the week the colliers work now?—That is very various; at times they work 10 days, and at other times eight days in the fortnight. Seldom more than 10, sometimes 11.

1087. What takes place if the quantities allowed to be vended are shipped in the first five or six days of the fortnight, are the men kept on pay, or are they paid by the quantity?—They are paid by the quantity; but that is one of the things that renders the regulation necessary, that we know nearly the quantity that will be vended, and prepare the number of men accordingly, to keep them at regular work, because you could not discharge the men for two or three weeks and then bring them back again; they would go to other employment, but knowing about the regular quantity that will be required you prepare your men and your machinery and powers accordingly.

1088. Have you had any strike among the colliers since the last regulation in 1834?—No; there may have been partial strikes at some of the collieries; but no general strike.

1089. Were you acting in 1833, during the fighting trade?—Yes.

1090. What quantity did you export in that year more than in the subsequent years?—I have no particular accounts of the quantity exported that year; but this I know, that it was a most ruinous concern.

1091. I observe the half-year ending the 30th of June 1833 an export by Lord Durham of 81,702 chaldron, while in the half-year ending 15th July 1835 there is only an export of 55,973?—I can account for that in some degree; in 1833 we exported a great many round coals over sea (foreign), and in 1835 we gave up that entirely.

1092. What do you do with the screened coals?—We export them.

1093. Do you destroy any now at the pit's mouth?—Very little since the repeal of the duty.

1094. When was the duty repealed?—It was lowered in 1831, when the coast-duty on coal was abolished, and totally repealed in 1833.

1095. What market do you find for your screened coals?—We send a great part to Germany, a part to the Baltic, and a considerable quantity to France.

1096. Do you consider the removing that duty to have been an actual saving of so much property to the proprietors?—I do.

1097. Then your opinion is the removal of that duty was highly beneficial?—Yes.

1098. What has been the effect of diminishing the export duty to foreign countries?—It has created a larger demand.

1099. Is there any duty now remaining?—Nothing; but on vessels which are not in reciprocity with England.

1100. Is your trade an increasing trade in the export trade?—It is increasing.

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1101. And the increase to these ports has been produced by the repeal of the duty?—Yes; we have exported more since that.

1102. Is there much coal burned now at the pit's mouth in different parts of the Wear?—There are on some collieries at a great distance from the port of shipment.

1103. Does that arise from the expense of carriage?—The expense of carriage, I should suppose, in the Auckland district.

1104. Mr. *Pease.*] Do you wish the Committee to understand that on the banks of the Tyne, (which are nightly illuminated,) the expense of carriage there prevents the sale?—Not there; but there is a great deal of coal, called Duff, which is burning constantly.

1105. *Chairman.*] Is that burning to waste or burning to cinders?—To waste.

1106. Can it not be sold for any purpose?—No.

1107. To what extent do you reckon in your colliery there is absolute refuse waste?—I have no means of ascertaining that.

1108. Mr. *Pease.*] Can you state to the Committee what was the price of your coals per ton immediately previous to the period when the Government duty was abolished, as compared with the present price?—I can. The price of coals, while the Government duty remained free on board, in the years 1830 and 1831, was 12*s.* 3*d.* per ton on the best coals; the second best 10*s.* 9*d.* per ton free on board; and the third rate on the Wear 9*s.* 3*d.* At present, in 1835 and 1836, the best Wallsend is 10*s.* 9*d.* per ton; the second best, or Primrose, 9*s.* 3*d.*, and the third quality 7*s.* 9*d.*

1109. Then the public have a right to expect, in addition to the reduction of the duty, the benefit of those reduced charges on your part?—I should think so.

1110. *Chairman.*] Can you state what were the wages paid to the colliers in raising a chaldron to the surface in 1830 and 1831?—It was about the same price as at present. The men are paid every fortnight on the Friday afternoon, at one o'clock; they have worked on the average ten days of that fortnight; the number of days of working are extremely irregular, and depend on the presence of ships to receive the cargoes.

1111. Suppose ships always ready, state the average number of hours the hewers work?—I should say from six to eight hours per day.

1112. What are the hewers?—The people who hew the coals in the mines.

1113. What are the wages of the hewers, taking the best men first?—I should say they have been making about 1*l.* 16*s.* to 40*s.* a fortnight.

1114. That is the most able-bodied men?—Yes.

1115. Now the second-rate workmen?—Perhaps from 30*s.* to 34*s.* a fortnight.

1116. What other people have you?—There are putters.

1117. Are they generally full-grown men?—No, generally from 15 to 20.

1118. What do they get?—I do not know exactly; they are paid by the distance. I do not recollect the sums they get per fortnight; there are besides the breaksmen and the engine-men.

1119. Are the wages higher now than they were in 1830 or lower?—I believe they are exactly the same; but they were raised after the strike for some time.

1120. When was the first strike?—The first was in 1831; the second in 1832; and in 1833, during the open trade, the wages fell considerably.

1121. Do you mean to say the wages have been higher since the regulation?—No.

1122. They have varied since 1830, but are now settled at the rate of 1830?—Yes.

1123. Have they any perquisites besides those wages?—Yes, a house and a garden, and coals free of expense.

1124. Is that always given exclusive of the wages?—Yes.

1125. Are there any colliers who have not houses?—None on our collieries; there are some that have not houses; but I apprehend in that case they make allowance for house rent.

1126. What do you consider your houses worth?—We pay from 3*l.* to 4*l.* a year, and we hire a good many.

1127. What proportion do you hire?—We have 700 or 800.

1128. Are these houses you hire the property of the men themselves?—No; of any companies who may choose to build them.

1129. Are there companies who do prepare them?—There are people who speculate in building houses, for the purpose of letting them again to the colliers.

1130. Has

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1130. Has Lord Durham one-half or one-quarter of his men in his own houses?—He had a very great number at one period; but the collieries have removed from those houses; the houses are left standing empty, and we are obliged to hire them in the district where the pits are now working. You cannot have a house further from a pit than a short distance, that a man may go easily to and return from his work.

1131. Every change of a colliery occasions a loss of house property?—Yes.

1132. Mr. *Pease.*] Are not the shafts so sunk frequently that the houses answer for a considerable number of shafts?—Yes, Lord Durham's principal collieries were, until lately, round Lambton; now most are removed seven or eight miles, to Littleton.

1133. Had they not been at Lambton for the last half century?—They have been for two or three centuries in Lambton; and I believe they were working coal there when Oliver Cromwell was in that country.

1134. *Chairman.*] What sort of a house is it?—There are two rooms below, and a loft above, where the men sleep.

1135. Mr. *Wakley.*] What is the occupation of the female part of the labourer's family?—I should think they do not do much; they work at harvest and hay-making.

1136. Do any go into the pit?—None.

1137. What is the general state of their clothing and food?—I should think it is very good now; two years ago there was great distress among them.

1138. Does their ordinary wages allow them to use animal food and beer?—Yes.

1139. Mr. *Lambton.*] Have they not meat every day?—I should think so.

1140. Mr. *Wakley.*] Are they more regular in their habits than they formerly were?—I should think they are improved; I have not been long among them; above eight years.

1141. Are they educated at all?—In some degree; but there is great want of education.

1142. At what age are the boys employed in the mine?—Some go down about nine or ten as trappers; these are the youngest description that go into pits.

1143. Do the boys go to school before they enter the mines?—Some do.

1144. In what proportion?—In rather a small proportion.

1145. Mr. *Bell.*] Considering the immense population which is collected together there, are there fewer atrocious crimes committed among them than other places?—I do not know there are many atrocious crimes, but there is a great deal of mischief.

1146. Mr. *Chapman.*] You have stated, at one time the harbour of Sunderland was quite empty of ships, in consequence of contrary winds?—Yes.

1147. If a fleet had come down would you have given the preference to the first ship that applied for the purchase of Lord Durham's coal?—I do not manage that department myself; there is an agent at Sunderland who manages it; we are not bound to give it to any person who applies; there is generally a certain class of people who load at our office; we prefer those who are customers.

1148. If a ship from a strange port was to come, he could not claim in regularity of turn?—He could not claim it, but we should be glad to load him; there is no turn actually for strangers.

1149. Would it be desirable, in your mind, to have such an Act?—I should think not.

1150. Why?—I do not see what benefit it would be; we load as many ships as we can.

1151. Would it not be a great object for a stranger who came down to know he received the same benefit and advantage as a ship belonging to your own port?—Vessels from the out-ports are our most regular customers; from Lynn and the other ports; it is not the people of Sunderland who are our most regular customers.

1152. Your impression is, it would be better to let it remain as it is?—It is just as well to leave it where it is.

1153. Leaving the ship-owners at the mercy of the coal-owners?—There is a great number of coal-owners, and there are coal-owners not in the regulation, so that it does not leave them at the mercy of the coal-owners at all.

1154. Mr. *Pease.*] If the ship-owner refuses to buy, the coal-owner must then come into the will of the ship-owner as to the price of freights?—Yes. I wish to state, that when a fleet arrives in Sunderland that a great number of the vessels are

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put on our list at Lord Durham's office; the owner goes and places the same ships on the list at the Hetton office, and they go to Lord Londonderry's office, and place the same vessels there; one vessel will be on the list of all three different offices at the same moment; and we never know where they will load until they are under the spout; and a few days ago, when I was there, one of them was under the spout, and the coal standing ready to put in, and the owner came and took her out again, because he had been offered a larger freight than he imagined he could make by carrying the coals to London.

1155. Mr. *Chapman.*] Would not the turn actually regulate all that, and prevent disappointment to both parties?—I apprehend if you had a Turn Act that they would not put them on the list until they did bring them actually under the spout.

1156. *Chairman.*] You have stated the rate of wages per fortnight; what is the expense per ton at which the coal is brought to the surface, taking the most expensive and the least?— * * * * * * * *

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1157. Mr. *Wakley.*] What is the average duration of life among the workmen?—To a pretty good age.

1158. At what age do they discontinue work?—There are many old men employed on the collieries.

1159. What do you call an old man?—I should say 70.

1160. Are there diseases common to the pitmen?—Not peculiarly so; some of them are occasionally afflicted with asthma.

1161. Mr. *Lambton.*] If the regulation was done away with, would it do good or create distress among the population of pitmen?—It is my opinion it would create much distress among the working classes there, because their employment would not be so regular.

1162. *Chairman.*] Would it not produce a great deal more competition, and increase the wages then?—I think less competition.

1163. Would not the different owners, having large quantities to ship, be more anxious to have men to work it?—In the first place you must get a larger demand, and an increase of consumption.

1164. If the prices were cheaper, would you not sell a larger quantity?—I do not know.

1165. Mr. *Wakley.*] Do the men regulate the wages by any combination or trades' union?—We have had a great deal of union among us.

1166. Are they in existence now?—On some parts of the Tyne they are; but it soon worked its own cure, because it brought many more men into the employment, but at a very great cost to the coal-owner.

1167. Mr. *Lambton.*] Are not those labourers better off than any men in other parts of the kingdom?—I think they are; I should add, in addition to the benefit of the house and garden, they have surgical assistance afforded when any accident happens.

1168. Mr. *Wakley.*] Do you know how much the owner pays for each man?—Lord Durham pays upwards of 200*l.* a year to his surgeon for attending the colliery.

1169. Is his practice confined to the colliery?—Entirely; and in addition to that, we have a benefit fund established on the colliery, which consists of 1,200 members; and Lord Durham subscribes one-sixth of the total amount of subscription, amounting to upwards of 200*l.* a year, out of which the men receive 7*s.* a week when they are ill and off work.

1170. Suppose a man could not work, what does he get?—He does not get anything out of the fund then.

1171. How many men have you under your own superintendence?—I do not remember the number; I think the members of the fund amount to 1,200.

1172. How many men and boys have you under your own care?—I do not know.

1173. Mr. *Pease.*] You have given the Committee an estimate made by the trade of the powers of Lord Durham's collieries; attend to this question; supposing an acre of coals, deducting one-fourth, to yield 4,454 chaldrons, how many chaldrons of coals do you conceive there may be in Lord Durham's royalties?—I have no means of calculating that at present; his royalties are very extensive.

1174. Could you give an approximate idea of the number of thousands of acres?—I think from 15,000 to 17,000 acres; an acre of coal varies very much; in some

some parts of a royalty there may be only one seam, while there are three in other parts.

1175. Do you conceive the Committee may fairly assume there is coal in Lord Durham's royalties to the extent of 70,000,000 of Newcastle chaldrons?—Yes; assuming those figures to be correct.

1176. The coals respecting which you have been asked are, in a large proportion, of the very first quality?—Yes, a large proportion.

1177. Are you aware whether there are other collieries now in a state of preparation in your vicinity?—Yes.

1178. Can you give the Committee any idea of the extent of the powers of those new collieries?—I should think there are preparations making for working nearly 1,000,000 of tons a year in addition, judging from the appearance.

1179. Then notwithstanding this regulation, new parties are entering on the trade on this extensive scale?—Yes, there is nothing to prevent them; any person may take a royalty and sink pits; there is no regulation to prevent their doing so, if they think it a beneficial speculation.

1180. *Chairman.*] By what means have you ascertained this quantity, and on what data do you give the opinion?—I could give it accurately if I had reference to the documents in my office.

1181. Has there been a particular survey of the whole of that property?—Yes.

1182. Who is the surveyor?—Various surveyors.

1183. Do you speak now from the recollection of what those surveyors have reported?—Yes.

1184. Can you give an accurate account?—Yes, had I access to the documents at home.

1185. Mr. *Pease.*] Has this coal been proved by boring and sinking of shafts in almost every direction in your royalties?—Yes, in almost every direction.

1186. And the extent of acres is delineated on your private plans?—Yes.

1187. You stated the export trade foreign, owing to the reduction of duties, might be considered as so much money into the pockets of the coal-owner?—No, I did not mean to state that; what I meant to state was, that it had created a larger demand for it.

1188. Can you give the Committee an idea of the profit per chaldron on small coals, which has been stated to be the chief part of the exports?—I should think there would be a loss on them, because a chaldron of small coal costs as much working as the large.

1189. But less the expense of filling, conveyance and shipment, what remains over and above the consumption of those coals by spontaneous ignition and combustion?—A great deal is lost by spontaneous combustion. Last year we had a large heap ignited, and it happens constantly.

1190. But less the expense of the charges on them, what remains?—They do little more in many cases than pay the expense of conveyance, and in some situations they would not do that; in the most distant collieries, such as in the Auckland district, they would not pay the railway dues.

1191. *Chairman.*] In the prices you have given before of the best coals, do you not lay the charges for bringing the whole to surface on that portion of the best which you can sell?—We take into account what the small coals produce in situations that are favourable, near the river, such as Lord Durham's.

1192. And whenever the produce is at such a distance as not to bear the cost of carriage that is entirely thrown out of view?—Yes.

1193. Mr. *Pease.*] Have you been privy to any professional valuations of collieries?—Yes.

1194. Do you know the per-centage that is allowed in those valuations by the profession, as viewers or under-ground surveyors, as a fair and reasonable return for mining property?—It has been stated to be generally 14 per cent.

1195. Does that agree with your experience as to the advantage received by the purchasers of such property?—It does not; I believe the very best collieries for the last eight or ten years have not yielded more than 7 per cent.

1196. When you state your apprehension the best collieries have not paid above 7 per cent, do you apprehend that calculation to include previously a fair deduction for the interest of capital and redemption of out-fit?—No; I mean without deducting anything for redemption of capital or interest; that it cannot yield more than that,

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that, and if you take 5 per cent. for the common interest, there is only the balance left for profit and redemption of capital.

1197. *Chairman.*] What is the price of the best coals, taken on the basis of the three last agreements?—The present agreement of March 1834 was 26*s.* 6*d.*, and in October it was raised to 28*s.* 6*d.*

1198. And the previous one?—That was 32*s.* 6*d.*

1199. What was the date of that?—It was on the 1st of September 1829.

1200. The one before that?—I know the price has been 36*s.* 6*d.*

1201. Was that in January 1828?—No; it was in September 1827.

1202. Mr. *Pease.*] This was the price which Lord Durham gave in to the trade as the price he was willing to sell at, at the time the regulations were entered into?—Yes.

Mr. *Matthias Dunn,* called in; and Examined.

Mr. *M. Dunn.*

1203. *Chairman.*] ARE you a colliery agent residing at Newcastle?—Yes.

1204. How long have you been employed in that line?—Upwards of 30 years.

1205. Are you a proprietor of coals?—I am.

1206. Are you a member of the association for limiting the vend in the north?—I am.

1207. Were you present at any meetings in 1833 and 1834, when that was formed?—I was present at meetings after the open trade.

1208. In the end of 1833 and the beginning of 1834?—Yes.

1209. Did you ship any coals during the open trade?—Yes.

1210. What is the name of the colliery?—St. Lawrence on the Tyne; and I managed the North Hetton on the Wear.

1211. Are you part proprietor of the St. Lawrence?—Yes.

1212. Did you concur in the agreements that were entered into for limiting the vend?—Yes.

1213. Do those regulations apply to the unloading in London as well as to the loading in the Tyne?—Yes; they apply through the medium of the factors in London.

1214. Then do you consider (as a member of the association in the north) the factors as a party to the agreement?—Yes; it was considered as a necessary contingency to the agreement. I will explain how I think it arose. After the open trade ceased, the issues for the vend of coals were considerably larger than the market would take off; a regulation in London was found a necessary consequence to keep the price up to a remunerating price, and to prevent the market being in the same state as it was before. The issue from the coal-owners under the regulation was so great as to cause the markets to be so full as to require the factors' assistance.

1215. Did you not require their assistance to raise the price, and was not that the object?—The object was to get a remunerating price.

1216. You had been selling at a loss?—Yes.

1217. When was that?—During 1833; the St. Lawrence establishment was not established fully in 1833.

1218. I observe your vend amounted to 998 chaldron in April last?—Yes.

1219. And you were short 172?—Yes.

1220. Why were you short of that amount?—Because the market would not take the coals off at the price we are stated to sell at.

1221. What is the price the St. Lawrence is fixed at in the vend?—Sixteen or 17*s.*

1222. Free on board?—Yes; since I have been in London, I have had a ship here on trial. In consequence of the state of the market being so low, coals would not be bought at our price. We freighted a ship, and that ship's cargo has been sold since I have been in London, of which I have the returns, and for that we have only got 13*s.* 6*d.* per chaldron.

[*The Witness handed in the same, which is as follows:*]

Mr. M. Dunn.

17 June 1836.

LONDON, Entered May 25th, sold June 6th and 8th, cleared June 11th, 1836; *W. H. Newman*, Meter; Ship Eagle, 164 Tons Register; *J. Graham*, Master.

Dr.

	£.	s.	d.	£.	s.	d.
To Entry-fees, Night-office and Foy	–	5	–			
Trinity-dues and lights	–	10	–			
Tonnage duty and entry	–	–				
				–	15	–
Metage of 1 ½ *d.* per ton				1	13	6
Tret to buyers 1 *l.* per cent.				2	2	6
Discount, scorage, stamps and expenses				5	8	–
Commission and guarantee				4	7	6
				14	6	6
Cash paid new city dues, 1 *s.* 1 *d.* per ton on certified tons				13	15	6
Insurance, 80 *l.* on cargo, at 15 *s.* 9 % *d.* and duty, 2 *s.* 5 *d.* per ton				–	14	1
Freight on 264 tons 15 cwt., at 9 *s.* per ton				119	2	9
Balance to credit				67	–	10
			£.	214	19	8

Cr.

BY PICTON MAIN COALS, sold at per Ton, with 1 ½ *d.* per Ton Metage.

Tons.	Cwt.		£.	s.	d.
42	0	J. H. Cooper	—		
28	0	J. Charrington	—		
35	0	C. Green	—		
42	0	Randells & Co.	—		
117	15	Monkhouse & Co.	212	16	–
264	15	Clearing charges	2	3	8
		£.	214	19	8

(Errors excepted, and Outstanding Debts guaranteed.)

London, June 13th, 1836.

1223. When you joined the vend your price given in was 17*s.*?—Yes.

1224. And no objection was made to that?—No; and we afterwards got it reduced to 16*s.*, finding 17*s.* was full high.

1225. By the actual return of the cargo which you give in, paying freight and the usual charges, you only net 13*s.* 6*d.* instead of 16*s.*?—That is so.

1226. So that by becoming part ship-owner you lose 2*s.* 6 *d.* a chaldron?—Yes.

1227. Then the regulation has not answered your purpose of keeping up the remunerating price as you expected?—At this present time it has not; but at other periods we are frequently able to sell at 16*s.*

1228. Do you sell to any ships that come, or are you bound to keep within the regulation?—We have never had that point put to us yet.

1229. In addition to the quantity you vend for the London market, are you allowed to sell for the north or any other trade?—Yes, upon the basis of 18,000 we vended from the colliery upwards of 29,000.

1230. How much of that coal did you send to London?—Two hundred and ninety-six chaldron only.

1231. While you sent coastwise 702 chaldron?—Yes.

1232. Your belonging to the vend appears to give you little or no advantage?—It gives an advantage in this respect, if there was no vend we should not get so much for our coals as we are now getting.

1233. Do you mean to say the vend tends to keep up the price generally as well as in London?—It certainly does.

1234. Mr. *Pease.*] Is 16*s.* your London price, or your coasting price, and your foreign price?—We do not send much to London.

1235. What is the price when you send coals to the London market?—We scarcely ever sell coals for London purposes; we mostly freight them.

1236. When you send to the coast, what do you charge?—Sixteen shillings.

1237. And when you send foreign, what do you charge?—Two shillings less, 14*s.*

1238. *Chairman.*]

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1238. *Chairman.*] Do the Committee understand by the regulation, the committee fix the prices at which you and others shall sell your coals?—No; it is optional in a coal-proprietor to appoint his own price which he thinks he can sell at. I fixed my own price at 17*s.*, and they concurred in it, and gave me the proportion that bore.

1239. Did they give you the proportion according to the power you had of working, or how?—The quantity that is attached to that colliery was settled by arbitration. I objected to the first quantity they gave; it was afterwards settled satisfactorily.

1240. Did they give a proportion according to the powers you had of working?—Yes; I made out the best case I could, and that was considered the proper decision.

1241. You consider the greatest possible per-centage you could get, the greater the advantage?—Yes.

1242. Were you present at any late meetings held of the regulation?—I have been in the habit of attending the meetings generally.

1243. Were you present in April last?—Yes.

1244. Resolutions have been placed before us respecting the Durham and South-west Durham Railroad?—Yes.

1245. Were you present?—Yes.

1246. Did you concur in those resolutions?—No, I did not take any part in the proceeding at all.

1247. Did you object to it?—I did not make any formal objection.

1248. The resolutions passed without your objection?—Yes.

1249. You are held to be a concurring party?—It appears to have been held so from that.

1250. Have you contributed any portion of the money towards the opposition to these Bills?—No.

1251. When you agreed with the resolutions, being a member of the regulation, why have you not paid?—I did not agree in the resolutions, as I did not take any part. I did not know, until I went into the room, the particular matter that was to be discussed; and appearing there for other persons, as well as myself, I did not think myself perhaps called on to go out, and therefore I took no part whatever.

1252. Do the Committee understand you to say, when you went to the meeting, you did not know its object was to oppose railroads?—No.

1253. Have you ever, publicly or privately, declared your objection to that proceeding?—I think I have.

1254. Do not you think, as a member of that regulation, that you ought to have objected if you differed from them?—Perhaps I was not entitled to do that, because I was there as the representative of Mr. Russell, and parties belonging to the North Hetton Colliery, and I did not know what line they might choose to take; I had no opportunity of consulting them previously.

1255. Were you there as the representative of the North Hetton?—Yes.

1256. And of the St. Lawrence?—No.

1257. You only could speak your own opinion, as you did not know what your partners would do?—No, I had no opportunity of consulting any person.

1258. Did you not know they agreed to that resolution?—Who?

1259. Mr. Russell.—No, I believe Mr. Russell would not agree to it, inasmuch as he is interested in the South Durham line.

1260. Mr. *Pease.*] Is he not one of the directors?—I believe he is.

1261. What reasons were given for opposing those Bills?—The principal reason given was that which is set forth in the published resolution, which was, that it was breaking in on the old established custom of railroads and way-leaves.

1262. Was the subject of way-leaves mentioned?—I dare say it was; on the general principle, it was put on that ground.

1263. You considered the objection on the part of the coal-owners to be against a railroad for coals being free from way-leaves?—Yes.

1264. Have you any way-leaves on the colliery you belong to?—The North Hetton Colliery has way-leaves.

1265. What is the highest rate of way-leaves per mile that you have known?—I think the highest I know is from the northward of the Tyne; where, for a distance of about four miles, 9*d.* a chaldron is paid. In some instances large way-leaves are expected where a party has a strip of land particularly situated.

1266. Then

1266. Then we are to understand the railroads have been laid down without Parliamentary interference, by negociation with the parties?—Yes.

1267. Each party making the best terms they could?—Yes.

1268. And in that way many of the old railroads pay very heavy charges, which they want now to avoid by the new railroads?—The regular stated price of way-leaves used to be about 2*d.* per chaldron per mile.

1269. To whom does the Stanhope Railway belong?—To a large public company.

1270. Do you belong to it?—No.

1271. Do you know what they pay for the way-leaves?—Yes, I know one property especially that they pay.

1272. What property is that?—A property belonging to a gentleman of the name of Dutton.

1273. What distance is it?—They pay at the rate of 350*l.* per mile per annum.

1274. Whatever quantity may pass?—Without regard to quantity.

1275. That includes the way-leaves as to coal, lime, merchandise, passengers, and every other commodity coming on the railway?—Yes.

1276. Have you been on the spot?—Yes; I let it.

1277. Is it good land?—Very indifferent land.

1278. What would it be worth?—Under 20*s.* an acre.

1279. What is the fee simple of an acre worth?—Perhaps 30*l.* to 40*l.* per acre. It would not be worth 20*s.* an acre.

1280. *Chairman.*] How many years' purchase?—About 30.

1281. How many acres would the railroad occupy?—Between six and seven acres to a mile.

1282. For those six acres he would receive an annual income of 350*l.*?—Yes.

1283. Does that agreement continue for ever?—No, the railroad body have the power of dissolving it.

1284. Whereabouts is Mr. Dutton's property?—Near Hilton-bridge.

1285. Were you examined as a witness on the South Durham Railroad Bill?—I was.

1286. Did you give any opinion as to the propriety of passing that Bill?—I was asked if it was not a great encroachment on the vested privileges of the land, and so on.

1287. Do you consider that, although against the custom of the north, an objectionable thing?—I stated if the privileges of the land were to be considered as sacred, that it certainly was an intrusion upon it.

1288. And on that ground you consider the opposition is made to its passing?—I consider that the main ground of the opposition.

1289. Do you know the districts to which that railroad runs?—I have examined the coal in the districts.

1290. Which?—The South Durham.

1291. Will that open a large field of supply?—Yes, it will.

1292. Of good coal?—Yes, very good coal.

1293. Is that called the Auckland district?—No, it is the Frosterley or Harperley district.

1294. You are aware there is a railroad called the South-west Durham Railroad?—I am.

1295. What length was that?—I never examined it.

1296. You do not know the district to which it would open coal?—Yes, I know the district about the Gordon colliery, which was proposed to be carried down it; I know the district about West Auckland.

1297. Mr. *Pease.*] Is it not the same district the Stockton and Darlington Railway goes to?—Yes.

1298. *Chairman.*] If that Railroad Bill had passed, would it increase the quantity of coal brought or lessen the expense?—I never was through that line of improvement, and therefore cannot say.

1299. You are aware that the Tees is in the regulation?—I am.

1300. Were you in business before it came within the regulation?—Yes.

1301. Did that coming within the regulation make any alteration in the general price of coals in the district?—I can scarcely see how that would affect it; if the Tees had not been in the regulation, the same rate of prices would have existed after the do now.

1302. Are you not aware that the quantity exported by the Stockton and the lington Railroad has very much increased of late?—Yes, it has.

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1303. Do you know the proportionate increase?—Yes; it began at 150,000 basis, and it stands now at 176,000.

1304. That is the part that comes within the regulation?—Yes, the basis.

1305. Do you consider there is great capability of increasing the export by the Tees?—Yes, there is.

1306. Would not that affect the price of your collieries on the Tyne?—If it was an open trade of course it would.

1307. What difference would an open trade make in the price of coals in your colliery?—It would reduce the price of coals; it depends on the extent of the competition and the duration of it.

1308. Suppose it for a permanency?—If it were continued an open trade for a permanency, it would.

1309. Would it not lay up some of the older mines?—Yes.

1310. Suppose a permanent open trade, what would be the effect generally on the price of coals?—The first effect of an open trade would be to reduce all the coals, I believe below the price at which they could be produced, with few exceptions. It would produce exactly what took place in 1832 and 1833.

1311. What took place then?—During the competition there was scarcely any colliery that could work at a profit.

1312. Then the price that was got in 1833 was a general losing price?—Very generally so, with few exceptions.

1313. The agreement that was made was an agreement in self-defence?—Yes.

1314. Supposing it had continued, and the parties could not have agreed, what would have been the consequence?—I have great difficulty in giving an opinion on that; during the whole experience of the trade it never has continued so for any great permanency; it has always reverted back to what it is now.

1315. Competition generally produces such losses that parties come together on some point or another?—Yes.

1316. Mr. *Bell.*] Judging from the effect that was produced in that short time by the want of a regulation, what do you imagine would have been the effect if it had continued to be a fighting trade?—One effect would have been to have ruined many people, and it would have caused the property to change hands very much.

1317. Ultimately to have driven a great many collieries out of the trade?—Those least able to compete would have been driven out of the trade.

1318. *Chairman.*] Do you mean then those collieries in which the expense of bringing up to the surface, and carrying down to the water was the greatest, would suffer first?—Not precisely that; taking the whole cost of production, and the whole value of the article when produced, those collieries that had the most scope would endure the longest.

1319. Can you state what that scope is?—It is impossible; it is so exceedingly variable, and the capital on which the profit is to be made is so exceedingly variable.

1320. Then it is quite possible, in your opinion, a small capital may bring coals cheap to the surface, while a very large capital may be expended, according to the depth and difficulty attending the working?—Yes; the quantity of capital has not much to do with it, except in regard of the quantity of interest demanded back as a profitable return; a large colliery, wherein some hundred thousand pounds has been sunk, requires a very much larger sinking fund to redeem that capital; that is taxable on the chaldron, and it depends, when all these charges are paid, whether that colliery is enabled to compete with smaller collieries under more favourable circumstances.

1321. Is it the rule when collieries are sunk, that a sinking fund is laid aside to redeem the original outlay?—No; but I am speaking only by comparison.

1322. As far as your knowledge of the trade goes, comparing the different periods when the regulation was in existence, has the demand in the London market ever been greater than the supply?—I think scarcely ever; it might occasionally, at a particular moment, while the ships were detained, or that kind of thing; but ever since I knew the trade, there was always an abundance of powers supply all the demand, and a great deal more.

H[illegible]1323. Is not the object then of the vend distinctly to limit that quantity, so as [illegible]aise the price to a given amount?—Yes, to raise it to a remunerating price.

I t[illegible]324. Have you attended any of the meetings to fix that remunerating price?—a d[illegible]e say I have; I am a member of the committee, and of course attend the wa[illegible]tings.

1325. Mr.

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1325. Mr. *Pease.*] Do you mean to state to the Committee you ever attended any meeting of the coal trade, with a view of fixing prices for other people's coals?—No, each person has a right to nominate his own price.

1326. *Chairman.*] I wish to know whether the price at which the best coal is to be sold in London, is not regulated by the delegates in the north?—Properly speaking, the price is regulated into the ship in the north; it is only a small proportion of the collieries that sell the coal in London.

1327. Does not the supply authorised to be issued every fortnight by the committee in the north, depend on the price reported to them at which the preceding fortnight's coals have been sold?—Very much so; and as to the demand in London, if the demand was increasing, and the ships go off, a greater quantity would be given out of the supply.

1328. Has not the price in the London market, which should regulate the issue below, been increased from 20*s.* to 21*s.* within your recollection?—No, except in the open trade, when it was considerably below that.

1329. But since March 1834, has the price been always the same, 21*s.* in London?—I cannot speak distinctly as to any alteration.

1330. Have you ever been present at a meeting, when the alteration in the general price of coals was under consideration?—I do not think I have.

1331. There was no proposition to raise or lower the price of coals?—I do not think there ever was a meeting for that purpose, that is, any public meeting; I have heard discussions relative to adjusting the present prices.

1332. What do you call adjusting?—Some person finds his coals are a shilling too dear, another finds his coals are placed a shilling too cheap; these are occasionally adjusted.

1333. As you did your's?—Yes.

1334. Supposing the regulation done away with, what, in your opinion, would be the permanent effects on the collieries in the north, as regards their capability of supplying, taking in the whole district?—As I said before, the first consequence would be a losing concern to the whole collieries; if that was continued for a series of years, it must necessarily destroy some of the existing collieries; and, in fact, it could not possibly go on for a series of years without coming back to a remunerative price in some shape or other.

1335. Would not some collieries be shut up in the meantime?—They would.

1336. Do you think that remunerating price ever can return to open the most expensive collieries?—I think many of the collieries would be shut up at a small expense, and be re-opened when the trade mended.

1337. You think the trade would rise, if there was no regulation?—It always has hitherto reverted to the regulation.

1338. Would the trade, if no regulation should exist, permanently settle at prices lower than the present?—I have already answered that question in another Committee in this way: I think the present prices are fairly remunerative.

1339. Mr. *Pease.*] And you are of opinion the coal-owner ought not to be expected to take a less price?—I think the present prices are fairly remunerative.

1340. Do you not know some collieries that do not pay at these prices?—I do not of my own knowledge.

1341. Every colliery you know, after allowing fairly for interest of capital, and for the redemption of that capital, leaves a profit?—I do not know of any that do not.

1342. On the average of the last five years?—I make an exception there; I can account why the average of the last five years would not have left a profit.

1343. Mr. *Lambton.*] In your calculation of the profit, do you take into consideration the risks and accidents?—Yes; the profits must cover everything.

1344. Mr. *Pease.*] Can you inform the Committee whether you know any colliery, however prosperous, or however favourably situated, that has yielded a profit of 2½ per cent. on the average of the last five or seven years, after paying the interest of capital and raising a fund for the necessary redemption at the expiration of the lease?—I cannot speak to that of my own knowledge; during that period there have arisen three most exceedingly expensive and untoward things.

1345. State what they are?—Two successive years there was a strike of the colliers, which not only interrupted the trade, but cost a vast deal of money; after that came the open trade, when there were great losses sustained; so that on the average of the last five years, I should think the Honourable Member is correct.

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1346. If you were to state the collieries even now were only making a fair remunerating profit, you do, by the observation which you have just made, condemn the trade on the average of five years, as a bad, losing trade?—I was confining my observation to the last five years.

1347. Taking the experience of the last four or five years, although the prices may now be remunerating, you consider it to have been a bad trade?—I consider it has not been a fair remunerating trade during those years.

1348. Any person who is about to enter into the trade ought not to calculate on its always being in the state it has been for the last 12 months?—No.

1349. Can you assume anything in the shape of a guarantee that those untoward circumstances to which you have alluded will not from time to time recur?—There is no guarantee, of course, that they will not.

1350. You are aware that there is a proposition to work coals by a larger joint stock company than has hitherto been brought into operation in the northern district?—Yes.

1351. Do you consider that that company would have had any reasonable prospect of remuneration, provided there had not been a prospect of a regulated trade?—As I have said before, the former practice of the trade always has reverted to this; and I think it is more than probable it would revert to that again after an open trade.

1352. Would you advise such an undertaking, with the prospect of there being such an amicable understanding?—Yes.

1353. If you saw no prospect of such an amicable understanding, could you recommend such an experiment?—I would rather take the experience of the last 50 years to work upon.

1354. Which experience would confirm you in the opinion that such a regulation must eventually ensue?—That it is probable it would.

1355. Do you really calculate, after allowing such a company fair profits, that the public will be cheaper supplied by such a company than they are under the present system of more subdivided management?—I do not think the public have a right to be supplied below the remunerating profit.

1356. And therefore they ought not to expect to have their coals lower by that or any other means?—The present prices are fairly remunerative.

1357. Mr. *Lambton.*] Is it your opinion the coal-owners of the South Durham Line, supposing that Railroad Bill passes through both Houses, will be anxious, before long, to join the regulation?—It is probable they would.

1358. Mr. *Pease.*] You think that they will feel that to be their interest?—Yes.

1359. Do you conceive they could have any reasonable objection, on the ground of pecuniary advantage, to join that regulation?—I think they would find it to their advantage to join.

1360. Do you think pecuniary advantage is the *primum mobile* with all tradesmen?—Certainly.

1361. You do not draw a distinction between those two and the number of highly respectable individuals now in trade?—No.

1362. Then, although it may open a new field of coal, the prices and quantities will be under the same system of regulation as at present, so far as you can anticipate?—Yes.

1363. And the coals will be given in at the prices which they consider fair, in proportion to other prices?—Yes.

1364. And the quantities will be their fair relative proportion, according to arbitration, as to powers?—Yes.

1365. The price to the London consumer will be what it has been for coals of a given quantity?—Unless they wish to get them at a less than a remunerative price.

1366. Unless there was a general break up it would be so?—Yes.

1367. Which you do not anticipate?—No.

1368. What would you say was a fair per-centage to add on a colliery lease of 21 years, for the redemption of capital?—That varies most materially; for instance, one of the deep collieries, where a capital of 100,000 *l.* is sunk, requires a much larger rate of redemption than a colliery where only 20,000 *l.* is sunk, and when the value and rates of stock are perfectly different in one and the other.

1369. Are there any covenants in these leases by which the parties can secure a renewal?—I do not know that that is common at all.

1370. The

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1370. The lessee must either contemplate entire abandonment of that capital or its sale at such a price as may be obtained for it as a removable stock?—Yes.

1371. You say you are unable to give any per-centage as a fair reduction from profit for redemption of such capital?—I have a statement that I will take the liberty of reading.

[*The Witness read the statement as follows:*]

HYPOTHETICAL STATEMENT of Redemption of Capital as applied to the Deep Collieries:

	£.
Supposing one of the deep collieries to cost fitting up for a 31 years' lease, everything included	100,000
Of which engines, railways, waggons, &c. to comprise 30,000 *l.*; but that at the termination of the lease the said stock will only bring	20,000
Leaving for redemption during the lease	£. 80,000

Now as the amount of 1 *l.* per annum for 31 years, reckoned at four per cent. will amount to 60 *l.*, it will require, to redeem the above sum, the annual deposit of 1,333 *l.*, being upon the original capital 1⅓ per cent. per annum. And supposing the colliery to vend 40,000 chaldrons, 8 *d.* per chaldron. If the same capital was to be redeemed in 21 years, it would require 2,500 *l.* per annum or 2½ per cent.

Therefore, assuming for redemption	2 per cent.
Common interest	5
Additional for mining profit	7
	14

In the above is included all necessary costs of working and keeping up the supply of coals.

	Per Newcastle chaldron. *s.*	*d.*
Assuming the current working charges, rents, &c. to amount to	19	–
The above interest upon original expenditure of 5 per cent. or 5,000 *l.* per annum upon 40,000 chaldrons, will be	2	6
	21	6

Say for contingencies 22 *s.* Present selling prices 28 *s.* 6 *d.*—24 *s.* 6 *d.*, and supposing equal quantities, would be 26 *s.* 6 *d.* or 4 *s.* 6 *d.* profit, will be nine per cent. upon the original investment, covering redemption of capital and mining profit.

If the vend, instead of being 40,000 chaldrons, should be less, the annual profit will be reduced in proportion, as it will be if the coal should not produce so large an amount of the higher-priced coals.

1372. On a lease of 21 years you require seven per cent. at the least, for interest and redemption?—Yes.

1373. You do not contemplate in that estimate any great and sudden destruction of property, such as has frequently occurred in your neighbourhood?—I think that must all be taken into the working-charges; those risks and chances, and mishaps ought to go into the working account.

1374. You are aware this has often been to a very serious amount?—Yes.

1375. And has extinguished the profits of collieries for years?—They are often very extensive.

1376. Suppose you are estimating your collieries in your own neighbourhood, working the Bensham seam or some equally difficult seam, what would you consider a fair per-centage on the capital or return, as a guarantee for such risks?—I have not considered the matter in that light. I have put that on working-charges.

1377. As you are consulted by many gentlemen as to the valuation of collieries, what per-centage, in estimating the sum to be paid for any colliery, would you allow as a fair return to be derived from the capital so invested?—The ordinary rate of return which I approve of is about 14 per cent., varying a little according to circumstances.

1378. That you consider a fair estimate?—Yes.

1379. Now do you suppose that while that has been the calculation that the result has in many instances realized the expectation of the purchaser?—In many instances not.

1380. Are the contingencies on mining in your opinion liable to defy all calculation?—Certainly they are; they depend on so many contingencies.

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1381. You have stated in another place that while you approve of the quality of the coals to be brought down the proposed South Durham Railroad, you are not prepared to state they are superior to any that are now sent into the market?—No; I have stated them at a less value.

1382. Have you not also stated the goodness of the quality rendered them more liable to breakage than some other kind?—I do not think I stated that with respect to quality; I stated they were not so hard a coal as some others.

1383. Have you not also stated in a fighting trade, that they might perhaps sell as low as some of the other collieries, but you had no right to anticipate that they would sell lower?—I think I stated they stood in a fair point of view in case of a fighting trade.

1384. Then either in the fighting trade or in the regulated trade the then state of trade would constitute a regulation?—I do not understand the question.

1385. If they were at the same rate as others under a regulation, and they were selling under a fighting trade, so as just to compete with their neighbours, the existing state of the trade, under either of these circumstances, must constitute the regulation of their prices?—No; they might be more able to compete than some others.

1386. Then you state now, in your opinion, they would be able to sell lower than other collieries?—They would be in equivalency with some, and on a superior ground to others.

1387. You state they can sell as low as any collieries you know?—No; I do not state that, because that statement requires to be qualified. I am working myself a great deal lower than they could be produced; but the difference between the cost price and the selling price of this coal is more than the difference between the cost and selling price of another coal. It has regard to value as well as cost.

1388. The result of these questions and answers is this: that in a regulated trade their prices would be the same as that of the other collieries sending an equal quality of coal, and in a non-regulated trade there are other collieries whom they could not undersell, while there are some they could undersell?—There are some that they could undersell. I have already stated, in point of competition, they would stand on a very high ground.

1389. Do you calculate upon the railroad company, who are to have the transport of their coals, reducing their dues to one moiety, or thereabouts, of what, under ordinary circumstances, you would deem a fair charge?—I only assume they would do that in the case of an open trade, and the thing requiring it.

1390. In that respect would they not have a great advantage over those collieries that are paying fixed and certain expensive way-leaves?—Yes, they would in that case; inasmuch as the principal part of their expenses would suffer reduction where another colliery could not reduce at all on that.

1391. Mr. *Lambton.*] Supposing they paid the same expense of private way-leave rent, what then would be the chance of success?—I do not think the district could be opened to charge the present rates of way-leave rents that are customary.

1392. They could not compete with the Stanhope and Tyne district of coals, which are supplied by way-leaves?—I do not state that they would be beneath the Stanhope and Tyne.

1393. Mr. *Pease.*] Then you are of opinion the Stanhope and Tyne, under a non-regulated trade, is an abortive speculation?—Does the question refer to the railroad or the collieries?

1394. To both?—I do not, of my own knowledge, know anything of the Stanhope and Tyne Railroad funds.

1395. You state, under a non-regulated trade, the South Durham districts could not compete paying way-leaves; does not the Stanhope and Tyne pay way-leaves?—Yes.

1396. Can the Stanhope and Tyne compete in a non-regulated trade?—The colliery or railroad?

1397. Take the colliery first?—I should think, unless they reduce their dues to a low ebb, they could not.

1398. If they reduced their dues, having a fixed expense of way-leaves, what must be the state of the concern?—It would reduce their profits, of course; they would have to participate in a reduction of the profit.

1399. And you apprehend, from having let land on that railroad, they could afford to make that reduction?—I cannot answer as to what they would find it their interest to do.

1400. Your

1400. Your own opinion would be, that they could afford to do it?—I cannot answer what their means are. I think they would have occasion for all they could get.

1401. *Chairman.*] Before the Stockton and Darlington Railroad was established, were not almost all the collieries then existing subject to way-leaves?—I dare say they were.

1402. Since the Stockton and Darlington Railway passed, have not way-leaves, as regards that road and several others, been dispensed with?—The land was bought on that road.

1403. Mr. *Pease.*] Do not the coal-owners on the Tees pay way-leaves?—The Stockton and Darlington Railroad does not pay way-leaves.

1404. If they do pay way-leaves, are you ignorant of the fact?—I am.

1405. *Chairman.*] Does the Stockton and Darlington Railway pay any way-leave?—I believe not by the Act of Parliament.

1406. Have you been able to make any estimate of the comparative expense of bringing coals by a railroad without way-leaves, and by one that pays way-leaves?—I can shortly state what the way-leave would be from the South Durham district, at the rate we have spoken of before, as regards the Stanhope and Tyne Railroad. Taking the South Durham Railway at 26 miles, at 200 *l.* a mile, it would be 5,200 *l.* a year.

1407. Mr. *Pease.*] Are you not aware it is no such extent as that?—I have understood that is its extent with all its branches.

1408. What is the extent of the main line from the Wingate branch to Elm Park?—Between 10 and 12 miles; taking it as 12 miles, at 250 *l.* a mile, it would be 3,000 *l.* a year.

1409. Are you able to estimate what the value of the land through which the railroad passed would be as compared with that annual outgoing?—The fee-simple would be worth about 3,000 *l.*

1410. What do you allow for damages and severance?—The land was valued by persons in support of the Bill, and by others against it; and the mean between these two valuations would be 18,000 *l.*

1411. In that proportion for the line you have now assumed, it would be from 12,000 *l.* to 14,000 *l.*?—About 11,000 *l.*

1412. The interest of which would be an outlay of 500 *l.* or 600 *l.* instead of 3,000 *l.*, which you have stated the way-leaves would cost?—Yes.

1413. You have estimated these way-leaves to be probably at 250 *l.* a year; now state another railroad, which you know as the lowest?—I have supposed that to be the average of the Stanhope and Tyne.

1414. Do you mean to state 250 *l.* is the average paid per mile throughout the whole of the colliery districts?—I am taking my data from the Stanhope and Tyne; I am assuming that as the best idea I can form of the expense, as being the latest approximation to a public railway.

1415. Is not the Durham and Sunderland later still?—Yes.

1416. The Brandling junction later still?—Yes.

1417. At the time the Stockton and Darlington was projected, was there any anticipation of any export trade of coal whatever?—I am not sure about that; there were powers taken by the Bill to export coal; at that time it was supposed the quality of the coal would not bear exportation.

1418. Was not the Stockton and Darlington Railway Bill granted as an inter-locality line, and not for exportation?—I do not know anything about the principle on which it was granted.

1419. *Chairman.*] You have stated that an open trade would settle down to what you call a remunerating price?—Yes.

1420. Must not the remunerating price depend entirely on the amount of expense incurred in bringing the coal to market?—Yes, very much; and taken along with the value when brought to market.

1421. The opening the Stockton and Darlington Railroad, as to the London market, what was the effect on the prices generally on the coals of the north?—I do not recollect it especially as applied to the Stockton and Darlington Railroad, as I had not much to do with the discussions in the trade at that time.

1422. You do not know what reduction took place?—I do not know as applied to the Stockton and Darlington; I do not know what was the cause of the reduction.

1423. Supposing the South and the South-west Durham Railroad could bring

Mr. *M. Dunn.*

17 June 1836.

coals free of way-leaves, at a reduced expense, would not their competition in the market tend to affect the general price?—Yes; except in the case of a regulation, as I have said before, perhaps it might tend to do so.

1424. If the export goes on increasing at the rate it has done for a year or two more, would it not compel an alteration of the price at which the regulation is fixed?—I do not know.

1425. Do you not think there would be quantity enough by competition to affect the market?—The present collieries have powers for a great deal of increased trade.

1426. Provided the price can be kept up?—I mean under present circumstances.

1427. Do you believe they can bring by the Stockton and Hartlepool lines coals cheaper to market, than you can generally from the Tyne and Wear?—Much depends on the value of coal when brought; if you bring an inferior coal a long way down the public railroads, it would not answer.

1428. Taking the quality generally brought from that field, would not the coals by the Stockton and Hartlepool, if these railroads were open, be brought cheaper than they are now brought from the Tyne and Wear?—Public railroads have a tendency to cheapen coal.

1429. Does not every increased supply tend to affect the general price in the north?—It is always feared so, certainly.

1430. Mr. *Pease.*] Do the collieries that pay the least expense sell any lower than those that pay the most?—No; it is the quality of coal that stamps the value of it.

1431. Do not each colliery try to get as high a price as they can?—Yes, certainly.

1432. If the coals are kept up at a fixed price, will not those who are not in the vend endeavour to get the same price if they can?—I should think so.

1433. Is it not the regulation which fixes the price for the greater quantity, that tends to regulate the price?—As I said before, the object of limiting or regulating the quantity is to obtain a remunerating price.

1434. To raise the price, in fact?—Yes; to raise it higher than it would be in the open trade.

1435. Speaking of the way-leaves as a custom which the regulation object to being broken, do you know whether there are any way-leaves in the Clarence Railroad?—I believe not.

1436. That passed in 1828, did it not?—Yes.

1437. Are there any in the Newcastle and Carlisle Railroad?—I think not.

1438. There was a Bill passed in 1832 for the Hartlepool, are there any way-leaves in that?—I believe not.

1439. There is a Durham branch of Hartlepool in 1834, are there any way-leaves in that?—I do not know.

1440. In point of fact, you only know that some Acts have passed in which the old custom of way-leaves has been abolished?—Certainly.

1441. Mr. *Pease.*] You stated the great benefit that would result to the consumer and coal-owner from a public way, distinguishing that from a way taken as a private way by way-leaves?—Of course there is an advantage.

1442. You have stated that 10 miles on the South Durham Line, from the coal-field to the Wingate Branch, at 250*l.* a mile, would be 2,500*l.* per annum?—Yes.

1443. And that the interest of money to purchase the fee-simple of that land would probably be but 500*l.* per annum?—Yes; but that is only a rough statement.

1444. Leaving a balance against the way-leaves system of 2,000*l.* per annum?—Yes.

1445. You have estimated that railroad to bring down about 300,000 tons annually?—Yes.

1446. That then would be a saving of about 1 ½*d.* per ton, on 300,000 tons, to be divided between the coal-owners and the consumer?—On those data it would.

1447. Do you consider that the coal-owner will sell his coals for any less, or that the consumer could expect to have them any cheaper, in consequence of such a reduction?—Of course the coal-owner would get all he could for his coals.

1448. Do you think the consumer in London would have a right to expect there would be a variation of 3*d.* (which is the minimum variation in the London market,)

market,) because his coals had cost him 1½ *d.* less?—No; the coal-owner would get all he could for his coals. Mr. *M. Dunn.* 17 June 1836.

1449. You think the consumer would not be justified in asking him to reduce double what he got?—No; the coal consumer has nothing to do with what the coals cost the coal-owner.

1450. *Chairman.*] Have you any observation you wish to make to the Committee?—I will state one fact that is not generally known, that in the port of Dublin there is a similar regulation to this in London; Lord Lonsdale makes a rule that ships which load at his colliery go to a certain factor in Dublin with a view of defending the character of his coal, and keeping up the price.

Lunæ, 20° die Junii, 1836.

MEMBERS PRESENT.

Mr. Hume.	Mr. Wason.
Mr. Crawford.	Mr. Bell.
Mr. Pease.	Mr. Ingham.
Mr. Lambton.	Mr. Pusey.
Mr. Chapman.	

MR. HUME, IN THE CHAIR.

Mr. *James Bentley*, called in; and further Examined.

1451. The *Chairman.*] YOU were asked whether any reduction in the Trinity dues had taken place, or any other charges of shipping; are you able now to answer that question?—There has been no reduction in the Trinity dues since 1830, or in the price of ballast, the heaving-in of which cost 12 *s.* per score tons, is now done for 10 *s.* per score. In 1830, the heaving in 45 tons of ballast, at 12 *s.* per score, was 1 *l.* 7 *s.*; and at the present period, at 10 *s.*, is 1 *l.* 2 *s.* 6 *d.*, leaving a difference of 4 *s.* 6 *d.*, which is the only reduction I am aware of. Mr. *James Bentley.* 20 June 1836.

1452. Has that reduction been made in the wages of the men?—Yes, in the wages of the men.

1453. Will you state what the freights were in 1820, and what alterations have taken place since that period?—I submit a Statement of the rates of freight per chaldron given in each month from the river Tyne, from January 1818 to December 1831; also the average freight per year. The reason I commenced this statement from the year 1818 was, as I have already stated in evidence, the alteration in the sale of coals from measure to weight, and in this case I have reduced the rate per chaldron into weight.

[*The Witness handed in the same, which is as follows:*]

A STATEMENT of the Rates of Freight per Chaldron given in each Month from the River *Tyne*, from January 1818 to December 1831; also the Average Freight per Year.

YEAR.	January.	February.	March.	April.	May.	June.	July.
1818	13/3 15/	12/6 14/6	11/9 14/	12/6 14/	13/ 14/6	13/ 14/	11/6 14/
1819	15/ 16/6	13/6 15/6	12/6 13/	11/ 12/	10/6 12/	11/3 12/6	11/ 11/6
1820	13/6 15/6	12/3 13/	12/ 13/6	12/ 12/6	11/6 12/	10/6 11/6	10/ 12/
1821	12/6 15/6	12/6 13/6	11/6 12/6	11/6 13/6	11/ 11/6	11/9 12/	11/ 12/
1822	12/6 13/3	13/ 13/3	12/3 13/	12/ 13/	11/ 12/9	10/ 11/3	10/9 11/3
1823	15/	15/	14/6 15/6	12/6 13/6	11/ 12/6	10/6 12/	12/6 13/6
1824	16/ 16/3	14/ 15/	14/6 15/	12/6 13/6	14/ 15/	13/6 14/	13/ 13/6
1825	14/6 15/6	12/6 13/	12/9 13/	12/ 13/	12/9 13/	12/ 12/6	11/6 12/9
1826	15/ 17/	12/6 13/6	11/6 12/6	10/6 12/	10/6 12/6	9/6 11/6	10/ 11/6
1827	12/ 13/	10/9 12/	10/9 12/	10/ 11/	10/ 11/	9/6 10/3	10/ 10/6
1828	12/ 13/6	11/ 12/	10/ 11/	9/6 10/6	9/6 10/	9/3 9/6	9/ 9/9
1829	11/ 13/	10/6 12/6	10/ 12/	8/6 9/6	8/6 9/6	10/ 10/6	10/6 11/6
1830	11/6 13/	12/ 13/	9/ 11/	9/3 10/9	8/6 10/	8/6 10/	9/6 10/
1831	11/6 11/9	10/6 11/	10/3 11/	9/3 9/9	10/6	10/ 10/9	10/9 12/6

Mr. *James Bentley.*

20 June 1835.

YEAR.	August.	September.	October.	November.	December.	Average Rate per Chaldron.	Average Rate per Ton; this calculation is made at 25½ cwt. to the chaldron, agreeably to Act 1 & 2 Will. 4.
1818 - -	12/6 13/9	12/6 14/6	15/6 17/	15/6 17/	15/6 16/6	14/0⅞	11/0 ⅜
1819 - -	10/6 11/6	11/6 12/	12/6 14/3	12/6 14/6	12/6 14/9	12/8⅛	9/11⅝
1820 - -	10/9 12/	11/6 12/9	12/9 14/3	12/ 14/	11/6 14/	12/4⅜	9/8 ⅜
1821 - -	11/6 13/	11/9 13/6	12/ 13/6	12/ 14/	12/6 14/3	12/6⅛	9/9 ⅝
1822 - -	10/6 11/	11/ 13/6	12/9 14/9	13/3 15/6	14/ 15/6	12/6¼	9/10
1823 - -	12/9 13/9	13/ 14/6	14/ 15/6	15/6 17/	15/6 17/	13/11	10/10⅞
1824 - -	12/6 14/	12/ 13/	12/6 14/	15/ 15/6	15/ 15/6	14/1⅜	11/ 1
1825 - -	12/9 13/3	13/6 14/6	16/ 17/	16/6 17/9	15/ 17/	13/11	10/10⅞
1826 - -	9/6 10/6	9/6 11/	10/ 12/	11/ 12/	12/ 13/	11/8	9/1 ⅝
1827 - -	10/ 10/6	11/ 11/6	11/6 13/6	12/6 13/6	12/6 13/9	11/4¼	8/11
1828 - -	10/ 11/	10/6 11/6	11/ 11/6	11/ 12/	11/9 13/	10/9⅞	8/5 ⅝
1829 - -	10/9 11/6	9/3 11/	10/6 11/6	10/9 11/6	11/6 12/6	10/9⅛	8/5 ⅜
1830 - -	10/ 10/9	10/ 10/6	10/6 11/6	10/ 11/	11/9 12/6	10/7⅜	8/3 ⅝
1831 - -	11/3 12/	11/6 12/	11/6 12/3	11/6 13/	12/ 14/6	11/4	8/10⅝

1454. By this means shall we be able to compare the period while coals were sold by measure with the period when they are now sold by weight?—Precisely. I also deliver in a Statement of the rates from the year 1832 to the present time.

[*The Witness handed in the same, which is as follows:*]

A Statement of the Rates of Freight per Ton given in each Month from the River *Tyne* since January 1832; also the Average Freight per Year.

YEAR.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Average Rate per Year.	YEAR.
1832 -	9/9 11/	7/6 9/3	7/6 8/6	7/3 7/9	6/6 7/3	6/3 7/	6/6 7/6	7/3 8/	7/6 8/	7/6 8/6	7/9 9/	8/3 10/	7/11½	- - 1832
1833 -	8/3 9/	6/3 8/	6/2 7/	7/3 8/	6/2 7/1	6/ 6/6	6/ 7/	6/ 6/7	6/9 7/4	7/6 8/9	7/9 8/6	8/ 9/	7/3¼	- - 1833
1834 -	8/ 8/6	7/6 8/3	6/8 7/3	6/ 7/	6/ 7/	5/10 6/6	7/ 7/6	7/6 7/10	7/6 8/3	7/3 8/3	8/ 9/3	8/10 9/6	7/6½	- - 1834
1835 -	8/9 9/	7/3 7/9	6/9 7/	6/9 7/3	6/9 7/6	7/ 7/3	6/9 8/	7/6 8/	7/9 8/6	9/ 9/6	9/ 10/3	8/6 10/	7/11¾	- - 1835
1836 -	8/9 9/	7/ 8/	6/9 7/6	7/3 8/3	8/3 9/9	- -	- -	- -	- -	- -	- -	- -	- -	- - 1836

1455. Are these tables made out from documents in your own possession, the average of each month, or are they applicable to particular parts of the north?—They are made out from the average rates of freight paid by myself during each month.

1456. Are they on chartered ships, or calculations on sale prices?—They are actual payments of freight for chartered ships.

1457. By these tables it appears that from the year 1818 up to 1830 the rates vary from 11 *s.* to 8 *s.* 3 *d.*, whilst during the years 1832 to 1836 the range of freight has been from 7 *s.* 11½ *d.* to 7 *s.* 3¼ *d.*?—That is the case.

1458. I observe that in the year 1831 the freights, which had been during the three preceding years between 8 *s.* 3 *d.* and 8 *s.* 5 *d.*, rose to 8 *s.* 10 *d.*; what was the cause of that?—I am not aware of any particular cause.

1459. When you were before the Committee in 1830 you gave a statement of the amount of seamen's wages; are you prepared to give such an account to the present time?—The present rate of wages is from 3 *l.* 15 *s.* to 4 *l.* per voyage.

1460. Have you any other statement to deliver in?—I have a Statement of the price of Newmarch Wallsend at market during the years 1828 and 1829, as required by this Committee, which I beg leave to hand in.

[*The Witness handed in the same, which is as follows:*]

A Table

A TABLE showing the Price at Market of Newmarch Wallsend Coals on the first Sales in each Month, between January 1828 and December 1829 inclusive; also the Average Price per Year.

YEAR.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Per Imperial Chaldron per Year.	Average Price per Ton; this calculation is made at 25½ cwt. per chaldron, agreeably to 1 & 2 Will. 4.
1828	37/	35/6	34/9	36/6	36/6	34/	34/	35/	34/3	36/3	34/9	35/9	35/4½	27/8½ 5/6
1829	36/	37/6	31/6	31/	30/6	27/9	29/3	28/6	31/9	34/9	34/9	38/3	32/7½	25/7 1/6

1461. Can you give the Committee a statement of the import and delivery of coals and culm, and the number of ships, since 1830, to continue the same form of account which you gave to the Committee in that year?—I submit an account of the import of coals, &c. into the Port of London, from the 1st of January 1830 to the 31st of December 1835 inclusive; also a like statement to the one delivered in to the Committee in 1830, reduced from measure to weight.

[*The Witness handed in the same, which are as follows:*]

IMPORT of COALS into the Port of *London*, from the 1st January 1830 to 31st December 1835 inclusive; were sold by Measure to December 1831, since then by Weight.

YEAR.	No. of Ships.	COALS.		SMALL COAL.		CULM.		ASHES.	TOTAL Imperial Chaldrons.	Per Act 1 & 2 Will. 4.	Tons.	TOTAL Tons.
		Imperial Chaldrons.	Tons.	Imperial Chaldrons.	Tons.	Imperial Chaldrons.	Tons.					
										Cwt. Per Ch.		
1830	7,108	1,578,188	463	43,370	- -	8,409	- -	-	1,629,967	25 ½	2,078,207	2,078,670
1831	7,006	1,577,447	389	22,639	- -	3,416	- -	-	1,603,502	—	2,044,465	2,044,854
1832	7,528	- -	2,122,006	- -	10,174	- -	6,421	-	- -	—	- -	2,138,601
1833	7,077	- -	2,003,070	- -	3,583	- -	3,740	-	- -	—	- -	2,010,393
1834	7,404	- -	2,073,729	- -	2,487	- -	2,175	-	- -	—	- -	2,078,391
1835	7,958	- -	2,294,921	- -	744	- -	3,147	-	- -	—	- -	2,298,812

IMPORT of COALS &c., from 1820 to 1829 inclusive; as passed through the METER'S OFFICE.

YEAR.	Ships.	COALS.		SMALL COAL.	CULM.	TOTAL Chaldrons.	Calculated at 25 ½ cwt. per Chald^n, as per Act 1 & 2 Will. 4.	Tons.	TOTAL Tons Coals and Culm.	Cinders.	Ashes.	TOTAL Chaldrons Cinders & Ashes.
		Chaldrons.	Tons.	Chaldrons.	Chaldrons.							
							Cwt.					
1820	5,864	1,313,599	137	- -	4,317	1,317,916	at 25 ½	1,680,342	1,680,479	1,199	- -	1,199
1821	5,797	1,269,098	1,173	- -	6,947	1,276,045	—	1,626,957	1,628,130	647	- -	647
1822	5,854	1,253,436	595	- -	6,989	1,260,425	—	1,607,041	1,607,636	201	- -	201
1823	6,464	1,425,662	495	- -	10,208	1,435,870	—	1,830,734	1,831,229	884	- -	884
1824	7,272	1,505,021	555	- -	17,893	1,522,914	—	1,941,715	1,942,270	1,337	29,829	31,166
1825	6,692	1,395,246	797	14,874	12,419	1,422,539	—	1,813,737	1,814,534	483	54,441	54,924
1826	6,813	1,542,928	126	38,951	13,327	1,595,206	—	2,033,887	2,034,013	553	1,578	2,131
1827	6,434	1,393,162	371	60,584	7,370	1,461,116	—	1,862,922	1,863,293	569	- -	569
1828	6,825	1,492,233	388	48,642	11,645	1,552,520	—	1,979,463	1,979,851	552	160	712
1829	7,021	1,537,603	248	51,973	3,449	1,593,025	—	2,031,106	2,031,354	306	- -	306

1462. By this return it appears, as to the last two years, 1834 and 1835, as compared with the first two years, 1830 and 1831, there has been an additio per import of upwards of 186,000 tons?—It does; I beg also to submit an Accour ase of the delivery of coals for the like period; the one varies from the other, inas rrying as the import embraces the stock in the ships at the close of the account. 3d., the actual delivery from the ships. hus

[*The Witness handed in the same, which is as follows:*]

DELIVERY of Coal, Culm, &c., from January 1830 to December 1835.

YEAR.	Ships.	COALS.		SMALL COAL.		CULM.		TOTAL Chaldrons.	Tons.	Calculated at 25½ cwt. per Chald^{n}, according to Act of Parliament.	TOTAL Tons.
		Chaldrons.	Tons.	Chaldrons.	Tons.	Chaldrons.	Tons.				
										Cwt.	
1830	7,113	1,575,441	- -	43,761	- -	8,478	- -	1,627,680	- -	25½	2,075,292
1831	6,918	1,557,292	- -	21,762	- -	3,739	- -	1,582,793	- -	—	2,018,061
1832	7,287	- -	2,050,240	- -	- -	- -	4,428	- -	- -	—	2,054,668
1833	7,364	- -	2,098,713	- -	- -	- -	2,539	- -	- -	—	2,101,252
1834	7,248	- -	2,020,879	- -	- -	- -	1,525	- -	- -	—	2,022,404
1835	7,863	- -	2,254,091	- -	- -	- -	2,733	- -	- -	—	2,256,824

1463. Are we to understand that by these two papers we have the total imports during each year; the total deliveries; and the difference will be the stock on hand not delivered?—Precisely so; the stock in the ships.

1464. You have been asked respecting the appointment of weighers; state what took place on the coming into operation of the Act of the 1st & 2d Will. 4, c. 76?—On the repeal of the late Act of Parliament, a communication was made to the factors by the buyers, that they would not be satisfied to receive coals weighed by a person in the employ of the shipowner, unless they had a person there to superintend the same on their behalf; and in most cases the cargoes being sold to many buyers, in some instances we have had as many as 20, this would have been attended with a very heavy expense. A committee was therefore appointed, consisting of an equal number of factors and buyers respectively, chosen to consider and arrange the best and most economical and convenient mode of carrying on the trade, when it was determined to appoint a sufficient number of weighers, and to provide machines with proper weights, for the purpose of securing a correct delivery, the expense of which to be equally divided between the buyer and seller; the weighers to be under the control of a committee of nine factors and nine buyers, annually chosen from the respective branches of the trade. We had formerly paid the City of London 1 *s.* 2 *d.* per chaldron, metage, beside the expense of the meter on board the ship, as I have already stated; it was therefore determined to appoint 150 men, who are continued during good behaviour, and who are paid 2 *d.* per ton for the coals they weigh out from the ship, with 2 *s.* per ship for certificates; and in case of a weigher being ordered below Blackwall and not below Woolwich, he is allowed 4 *s.* per day for travelling expenses; but if he is sent below there, down to Gravesend, being the limit of the port of London, then he is allowed 6 *s.* a day.

1465. Can you state what the average amount earned by the weighers in the last year, 1835, was?—The average sum earned by the weighers in 1835 was 115 *l.* 17 *s.* per man; 120 of the first class got 121 *l.* 19 *s.* 8 *d.*; and 30 of the extra class 102 *l.* 7 *s.*; the money he receives for certificates being about equivalent to his expense of waterage.

1466. Will you state the greatest amount that a gang have delivered under this regulation?—The minimum quantity which is contracted to be delivered is 49 tons per day.

1467. Is that what is delivered under the superintendence of one weigher?—Yes; but I have had one instance since the establishment of the office, in which 203 tons were weighed out to a gas company.

1468. Is the same charge made on the low-priced coals as the best?—The same charge; some of the low-priced coals are the most difficult to weigh.

1469. Then are we to understand, that in the one case the lowest wages the weigher has received is 8*s.* 2*d.*, and the highest 33*s.* 10*d.*; with 2 *s.* ship's certificate?—There has never been but one instance of any ship delivering that quan-
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1472. Is

1472. Is the 7 ½ *d.* a saving to the public?—Yes, undoubtedly, of 5 ½ *d.* per ton. The Act of Parliament authorized the coal-merchant to charge the consumer 9 *d.* per chaldron for the metage and market dues, which is now saved to the public, with the exception of 1 ½ *d.*

1473. How many ships were actually weighed out by the office in 1835?—Seven thousand one hundred and ten ships, by the office in 1835, containing 2,085,057 ⅛ tons.

1474. How many ships were delivered without weighing?—Seven hundred and fifty-eight ships were delivered in the same period, containing 173,230 tons; they were either not weighed, or weighed out by parties not connected with the office.

1475. They were, then, parties who had bought the entire cargoes?—Parties who had purchased them in the north, in some instances, and taken them direct from the ships into the warehouses.

1476. Either by the proprietors or by individuals, who took the quantity by certificate?—Undoubtedly; but several of those were weighed out by parties not connected with the coal-market.

1477. By the 32d clause of the 1st & 2d Will. 4, the Court of Aldermen are authorized to make bye-laws to regulate the coal-market, and such by-laws are to be approved and allowed by one or more of the Judges; have they done so?—I am aware of the Act, but I am not aware there has, since that period, arisen any necessity for altering the mere regulation of opening and shutting the market; which appears the only thing necessary for its regulation, in taking care it is kept a public open market.

1478. Are you not aware, by the 34th clause, the bye-laws are ordered to be printed and published; are there any such?—I am not aware that there are any.

1479. Are you aware that the Mayor, Aldermen and Common Council are directed to appoint, from time to time, one or more committees to superintend and manage every thing connected with the coal department, and that persons interested in any way in the business are not eligible for such committees?—I am aware that is the case.

1480. Has that been acted upon?—I am not prepared to say, as I have no connection with the corporation myself.

1481. Mr. *Crawford.*] Are there, in point of fact, any laws and regulations in force under the authority of the Corporation of London?—I am not aware of any, or any that they can make. Our trade is now free, and I can sell coals in any place and at any time whatever.

1482. Have the Lord Mayor and Aldermen, in fact, any interference with the coal-market?—They have power to interfere, but their power is limited; they have power to see the market is kept in a proper state, but not further.

1483. Is that as regards the buildings?—Yes; but they have no power to take any steps to regulate the factors in the sale, or the mode of their carrying on their business.

1484. By that Act coals were directed, from the 1st of January 1832, to be sold only by weight; has that been regularly done?—I believe it has been regularly done, and that there is no instance to the contrary.

1485. By the 45th clause of that Act it is thought necessary to enact, that a penalty shall be levied if any individual shall sell one sort of coals instead of another, and it is provided regulations shall be made to prevent that; what regulations have been made to prevent the possibility of that?—I would say, in answer to that, it applies only to the seller of the coal.

1486. It appears by the 74th clause, that the owners of ships may compound with the City of London for the number of tons in respect of which the duty shall be paid, to save the necessity of weighing, or any trouble; are you aware whether that has been carried into effect to any extent?—I believe there has not been one instance of any shipowner compounding, inasmuch as the city dues are paid on the certificated quantity.

1487. Have the weighers any fund?—Yes; the amount of the present fund is 12 Exchequer bills of 1,000*l.* each, and at the banker's about 1,500*l.*

1488. And how has that accumulated?—The Meters' office receive 3*d.* per ton for all coal delivered by the establishment; and have paid, in the purchase of machines and barges and other utensils, together with office expenditure for carrying on the trade, rather more than 2 ½*d.* per ton; consequently, the receipt being 3*d.*, when the expenditure is a fraction more than 2 ½*d.*, the accumulation has thus arisen.

Mr. *James Bentley.*

20 June 1836.

1489. In whose hands is that?—It lays in the banker's hands, in the names of the 18 gentlemen who form that committee; nine buyers on their behalf, and nine factors on the behalf of our correspondents.

1490. For what purpose is that received?—The present intention is, as soon as it accumulates sufficiently so as to enable us to carry on the system, to fund the amount, and reduce the metage a halfpenny, that being the lowest divisible sum.

1491. What do you mean by "carrying it on?"—If we were to reduce it a halfpenny now, the present surplus would in a little time be absorbed, and then it would have to be raised again.

1492. Do the Committee understand that the joint committee of factors and buyers have in their possession the property of all the weighing machines requisite for delivering the ships?—Precisely so.

1493. And that that has been paid for out of the rate heretofore collected?—Yes, and which is a continual expenditure; as the weighing machines require to be continually kept in order.

1494. Notwithstanding the amount paid in the first purchase and the annual repairs, there is that sum accumulated?—Yes; I would merely observe a special committee was appointed at the close of last year, to ascertain whether any and what reduction could be made; and that committee has reported that there did not appear any way of making an equitable reduction.

1495. Although there is an annual surplus?—Yes, until the surplus should amount to a sufficient sum to fund, so as to reduce the metage to 2 ½ *d.*

1496. At the rate you have been going on, when do you expect that to take place?—We shall have to raise about 1,000 *l.* per annum; we should fall short about 1,000 *l.* per annum if we were now to reduce the metage.

1497. Are we to understand, then, that as soon as the surplus amounts to sufficient to give an interest of 1,000 *l.* a year, that then you will reduce the rate from 3 *d.* to 2 ½ *d.* and have the means of repairing and continuing the weighing and materials?—Yes, that is our present view.

1498. Have you any knowledge of the weighers being in any way connected with the publicans?—No man is allowed to be a weigher who is in any way connected with the publicans, or in the sale of wine, spirits, beer, coals or any other article that should induce him to do wrong, as will appear by the Regulations which I now hand in.

[*The Witness delivered in the same which are as follow:*]

1835.—REGULATIONS to be strictly conformed to by Ship-meters.

1. METERS, when unappointed, are to attend at the Meter's office with their accounts, or for re-appointment to ships daily (unless absent with leave from the shipping clerk); at nine in the morning, twelve at noon, a quarter past three in the afternoon, and, provided there is a meter's list, at a quarter past six in the evening.

2. Every meter, when appointed to a ship, must attend on board thereof from seven o'clock in the morning until five o'clock in the evening, during the months of February, March, April, May, June, July, August, September and October; and from seven o'clock in the morning until four o'clock in the afternoon, during the months of November, December and January, unless informed by the buyer or his agent that no more coals will be taken on that or some other particular day.

3. No meter is to absent himself from the ship to which he has been appointed, during the hours above-mentioned, without leave from the shipping-clerk, except in case of illness, of which early notice must be given at the office. When leave of absence is obtained, he must not quit his ship until another meter arrives to relieve him.

4. Meters are empowered to work from sun-rise to sun-set, from the 1st of March to the 30th of September inclusive, and from six o'clock in the morning to five o'clock in the evening, in the months of October and February, if required so to do.

5. No meter shall depute any other meter or person to do his duty for him, or weigh any coals, except from those ships which are entered at the Meter's office, or use any other beams, weights or scales than those belonging to this office.

6. No meter shall deliver any coal, culm or cinders, contrary to the terms of the turn paper delivered to him, unless the consent of the buyer or his agent, whose turn it is to load according to the said turn paper, shall have been first signified to him in writing, and in such cases he shall not deliver, on account of the clearing buyer, his coals out of turn within 14 tons of the quantity he would be entitled to according to the certificate; and no meter shall permit any coals to be unfairly worked.

7. No meter shall deliver into any barge, or room of a barge, a less quantity than seven tons, or any other quantity than some multiple of seven tons, unless it be to finish the particular working of some buyer, or to clear the ship. Nor shall he deliver any coals into any room of a barge, having coals in it, or into any open barge, unless kept separate from any coals therein, except be to make up to seven tons, or some multiple thereof, coals of the

the same name and description as those which he is delivering the certificate of, which shall be shown to him previous to his so doing; and if it shall happen that any lighterman, or other person, will not permit to be loaded the full quantity of seven tons, or some multiple thereof, then the meter shall not give any certificate for such quantity not being seven tons, or some multiple of it, except it be to finish a particular working of some buyer, or to make up seven tons or some multiple thereof, as above provided, or to clear the ship. The above rule not to apply to canal or monkey boats, worked in pairs, for which a special certificate shall be given according to the form posted in the Shipping office.

8. Meters are to give certificates gratuitously of all coal, culm or cinders, delivered in conformity with the preceding regulations when required so to do; the same to be office certificates, in which the quantity and quality of the article delivered, with the buyer's name or names, shall be set forth in words at length, a complete copy of which shall be entered in the margin of the certificate-book: the certificates given by the meters to be witnessed by the master, mate or other officer in charge of the ship.

9. Meters are to leave on board ship, and not to weigh to the buyer (unless required) the sweepings and way coals in the clearing of a cargo, provided the quantity so left does not exceed seven and a half cwt., and not to allow large coals to be picked out for the ship's use, but that any quantity, if left, shall be a fair sample of the whole cargo.

10. Every meter, on the delivery of any quantity of coal, culm or cinders, must immediately make an entry thereof in the book furnished to him from the office, and not in any other book or paper.

11. Meters, when required, must exhibit the turn paper to the master and mate of the ship they are appointed to deliver, and to any person applying for a part of the cargo, and return the same to the office, with their account of the delivery.

12. If any meter be obstructed in the discharge of his duty, he is forthwith to leave the ship and report the circumstances to the shipping clerk.

13. Every meter shall deliver his short bill at the office within two hours after the delivery of the cargo of any vessel above Greenwich, and his other papers as soon as possible.

14. No meter shall be engaged in any branch of the coal-trade, or be concerned, directly or indirectly, in any public-house, wine, spirit or beer business.

15. Every meter shall diligently, faithfully and impartially do his duty, favouring neither buyer nor seller, and if any shall be proved to the satisfaction of the Committee to have received either bribe, fee or reward, he shall be peremptorily dismissed; and if he be proved to have given too much or too little weight, or in any other manner to have misbehaved, he shall be punished, at the discretion of the committee, by dismissal, fine, suspension, or reprimand.

16. Every meter shall, if required, make out and deliver to any buyer or buyers a general bill or account of coals delivered out of any ship or vessel on the account of any such buyer or buyers, and for the making out of each and every such bill or account, the following rate or charge may be made, and no more: the sum of 3 *d.*, if the quantity specified in the bill or account be less than 50 tons; the sum of 6 *d.*, if it be 50 tons and under 100 tons; the sum of 9 *d.*, if it be 100 tons and under 200 tons; and if it be 200 tons, or any larger quantity, the sum of 1 *s.*

17. That the meter who clears the ship must state on the front of the short bill, on the factor's note, and on the back of the long bill, full particulars of baulked days and travelling expenses, to which himself or any other meter is entitled; any meter neglecting the same will lose all claim thereto.

18. Every meter to deliver to the captain or mate of the ship to which he is appointed, the printed notice respecting the ship's responsibility for the proper care of the weights and scales.

I, having been appointed a ship coal-meter, do hereby promise and declare, that I will conform to the foregoing regulations, and that I will strictly obey all other orders and regulations which may be made by the Committee appointed from time to time for conducting the business of the Meter's office.

London, 1835. Witness,

1499. Can you suggest to the Committee any means by which the facilities given to the coal trade in the river can be increased, and the expense can in any way be reduced to the consumer?—I really cannot suggest anything to this Committee, inasmuch as if I had anything to suggest we should immediately carry it into effect ourselves; we are as free as the air and there is nothing to prevent us doing so.

1500. The association of the meters in London could not exist, could they, as an association as they now are, if there was no regulation in the north?—Decidedly they could; I will state the situation of myself: supposing I have 30 ships at work, I must have 30 clerks to go and superintend the deliveries, and those 30 ships would be sold very likely to 80 or 90 buyers, consequently each party would have one, so that it would be impossible to carry on the trade satisfactorily without meters. I would state further, as respects the meters, that we have a return of every cargo that is delivered, and into what barge it is delivered: and I have no hesitation in saying that I think it is as perfect as any establishment can be made.

Mr. *James Bentley.*
20 June 1836.

1501. Mr. *Chapman.*] Is the system of carrying on the trade at present beneficial to the general consumer?—As far as regards our branch of the trade I say decisively so.

1502. The *Chairman.*] In case of misbehaviour on the part of any of the meters, what steps are taken?—We have only had one man discharged; if the least complaint comes to the office a committee is immediately summoned, he is brought before that committee, and either reprimanded or removed altogether as the committee see fit.

1503. Mr. *Chapman.*] When Government purchase coals on contract, do they require them to be measured by meters?—The Government are so well satisfied with the meters of our establishment, and with the clear and satisfactory manner in which we keep our accounts, that I believe they will not take them when weighed by any other party.

1504. The *Chairman.*] The question put to you just now, alluded to the joint-committee of buyers and factors; not to the factors?—I am now speaking of the meters' establishment which is composed of nine factors and nine buyers.

1505. You distinctly state that must exist for the convenience of trade; has that joint-committee any connection with the regulation in the north?—Certainly not.

1506. Could the factors' association exist if there was no regulation in the north?—If the principals in the north were disunited, it would be a very difficult thing for the factors to be united, being only agents.

1507. What would be the effect of laying an additional duty of 6*d.* a ton on coal?—That all consumers would pay 6*d.* a ton more.

[*For the Evidence of the next Witness, Mr. William Horne,* vide *Appendix.*]

Mr. *Thomas Storey,* called in; and Examined.

Mr. *Thomas Storey.*

1508. *Chairman.*] WHAT situation are you in?—I hold the situation of Secretary to the Coal-trade in the river Tees.

1509. Is there a committee formed?—There is.

1510. Can you state what space that comprehends?—It includes the whole of the Auckland district.

1511. Have you a list of the collieries in that district?—I have.

[*The Witness handed in the same, which is as follows:*]

TEES COAL-TRADE.

Unregulated Trade, from the 31st December 1832 to the 1st March 1834; Regulated Trade, from the 1st March 1834 (when the Tees River first joined) to the present time.

Chairman, Henry Stobart, Esq.

Committee:—Henry Stobart, Wm. L. Prattman, George Dixon, John Flintoff, Josiah Smithson, John Botcherby.

Representatives:—Blackboy Colliery, Richard Carter; Eldon, Josiah Smithson; Shildon, Isaac Sharp; St. Helen's Auckland, John Flintoff; West Auckland Etherley, Henry Stobart; Norwood, John Botcherby; Cockfield, George Dixon; Butterknowle, Michael Forster.

Collieries not in the Regulation:—Lands, Witton Park, Deanery, West Hetton, Chilton, New Blackboy, and Thrislington.

1512. By this return there appears to be nine collieries in the regulation, and seven not?—Yes.

1513. Are these the whole collieries that now deliver by the Tees?—Yes, except West Hetton, which comes down the Clarence Railway, and Chilton, New Blackboy, and Thrislington; which latter is a new colliery.

1514. State when the Tees regulation took place?—On the 1st of March 1834.

1515. Before that time, how was the coal-trade conducted on the Tees?—It was unregulated.

1516. Each sold as they could, and what they could?—Yes.

1517. In 1834 they joined the regulations of the Wear and Tyne?—They did.

1518. Can you state the basis on which these collieries joined?—On the 1st of March 1834 the basis allowed to the river, including Witton Park, was 150,000 chaldrons; on the 1st of March 1835, 160,000; and on the 1st of January in the present year, 176,000 chaldrons.

[*The Witness handed in the Statement, which is as follows:*]

TEES COAL-TRADE.

	Chaldrons.
Basis allowed, 1st March 1834 - - -	150,000
Ditto - - 1st March 1835 - - -	160,000
Ditto - - 1st January 1836 - - -	176,000

Distribution of Basis, as fixed by Messrs. Hugh Taylor, Nicholas Wood, George Johnson:

	Chaldrons.
1. Auckland St. Helen's - - - - - -	26,000
2. Auckland, West - - - - - - -	6,000
3. Butterknowle - - - - - - -	16,500
4. Blackboy - - - - - - - -	33,000
5. Cockfield - - - - - - - -	14,000
6. Eldon - - - - - - - -	24,000
7. Etherly - - - - - - - -	16,500
8. Norwood - - - - - - - -	23,000
9. Sheldon - - - - - - - -	13,000
10. Witton Park - - - - - - -	4,000
	176,000

1519. Look at that document, and state what it is?—This is an account of the quantity of coals exported from the river Tees, according to the Stockton and Darlington Railway tonnage account.

[*The Witness handed in the same, which is as follows:*]

AN ACCOUNT of the Quantity of COALS Exported from the River *Tees* (according to the Stockton and Darlington Company's Tonnage Account), in the following Years, commencing each Year from the 30th June:

	Tons.	
From 30th June 1826 to and with the 3d June 1827	18,588	
Ditto - - 1827 to 1828 - - -	54,290	
Ditto - - 1828 to 1829 - - -	46,216	open trade on Tyne and Wear.
Ditto - - 1829 to 1830 - - -	79,416	
Ditto - - 1830 to 1831 - - -	151,262	
Ditto - - 1831 to 1832 - - -	281,960	
Ditto - - 1832 to 1833 - - -	336,060	six months open trade.
Ditto - - 1833 to 1834 - - -	285,765	eight months open trade to the
Ditto - - 1834 to 1835 - - -	357,726	1st March 1834.

The year 1833–34, to the 30th of June, is much below the former and subsequent years. The coal-owners reduced the quantity worked to the lowest possible quantity, to pay certain rents, &c., and to keep the mines open and free from water. The coals sold and freighted not paying the current expenses of putting them on board of ship (even under a reduction in the expense of manual labour and agencies, from 25 to 50 per cent.): in many cases the coal-owners got no more than barely paid freight and expenses in the port of shipment and delivery; in others (which was far more general) they got nothing for the coals as put into waggons at the pits; and the very best working collieries had a certain loss of from 3*s.* to 4*s.* per chaldron, independent of interest on and redemption of capital.

VEND of COALS on the *Tees*, from the 31st of December 1834 to and with the 31st of December 1835:

Basis.	Issue.	Vend.	Shorts.
150,000 for 2 months 160,000 for 10 months	- 121,880 chaldrons	- 114,219 chaldrons	7,661 chaldrons.

1520. Is that correct?—It is perfectly correct.

1521. Are we to understand that 176,000 was taken as the basis in January 1836, when the Auckland was allotted 26,000, Witton Park 4,000, and the others as here put down?—Yes.

1522. On what principle are these amounts fixed?—They were fixed by two arbitrators and an umpire.

1523. Are you able to state the grounds on which they proceeded?—I am not able to state the ground on which they decided: they inspected the collieries to ascertain the powers, and they decided what the relative proportion of each colliery should be.

1524. Mr. *Pease.*] You understood they decided the relative quantities, on the principles acknowledged and known to exist in the trade for several years?—I suppose that was the mode in which they decided; that I understand to be the general mode.

Mr. *Thomas Storey.*

20 June 1836.

1525. *Chairman.*] Does the Committee understand you cannot state the power of those several collieries to which these amounts are allotted?—No; the powers were given to the different arbitrators and umpire, and they considered them confidential to themselves only.

1526. Can you state what the aggregate amount or those powers were?—One of the arbitrators stated to me it was 248,000 chaldrons.

1527. The whole of the ten?—Yes.

1528. What is the actual amount vended?—I have it here from the collieries commencing under the regulation, that is from the 1st of March 1834.

[*The Witness handed in the same, which is as follows:*]

Issue and Vend of Coals from the River *Tees* for the London and Coasting Trade.

TIME.	Issue. Chaldrons.	Vend. Chaldrons.	Over. Chaldrons.	Shorts. Chaldrons.
1834, 10 months - - -	96,750	98,583	1,833	—
1835, one year - - -	121,880	114,219	- - -	7,661
1836, four months - -	36,080	—	—	—

1529. Are you employed as secretary to the committee?—I am.

1530. Can you state why the vend was short?—I only know it from my communications with the coal-owners generally; the reason stated was, that they could not sell them.

1531. Mr. *Pease.*] Do you know whether there was any scarcity of ships which prevented their selling or freighting their coals?—I believe there was at the latter part of the year.

1532. Would a scarcity of ships for three or four weeks account for the whole difference?—It may account for the greater portion of the difference.

1533. As to the return, which you have given in, showing that from 1827 to 1828, 54,290 tons were exported, is that the total exported by the Tees in that year?—It is the whole of the exports of the Tees that year; that account is from June to June.

1534. Does that include the whole collieries then open on the Tees?—It does; it was the commencement of the Stockton and Darlington Railroad.

1535. Were there no coals shipped before that time?—No; from September 1825 to 1826 was the first year the railroad opened.

1536. From June 1828 to June 1829 was only 46,216, where it is marked "open trade"?—Yes.

1537. Was not the trade all that time open on the Tees?—Yes.

1538. But you state it was an open trade also on the other rivers?—Yes.

1539. The Tyne and Wear?—Yes.

1540. Was there not an open trade on the Tees from the year 1829 down to the 1st of March 1834?—On the Tees there was.

1541. But a regulated trade in 1832 on the Tyne and Wear?—Yes.

1542. Are the Committee to understand the exportation of coal has increased from the year 1827 from 18,500 tons to, in 1835, 357,726 tons?—Yes.

1543. Is the quantity going on increasing still?—Yes, in the proportion I have stated in the basis; that is independent of the collieries shipping by the Clarence Railway, which are not in the regulation. The 357,000 now shipped, as appears on that document, applies only to the coals coming down the Stockton and Darlington Railway.

1544. In what proportion are there coals that do not come down that railroad?—The proportion is very small.

1545. Have you a personal knowledge of the prices at which the coals in each of these collieries, or any of them, are brought to the surface?—No, I have not; I have a general knowledge of the district; and I know the relative position of all the collieries, and the situations of some underground; I cannot speak to the relative proportion of the expense of bringing them to the surface. I have here a statement, showing what each colliery receives at the pit, after paying all expenses, down to the place of shipment.

1836:—TEES COAL TRADE.

COLLIERIES.	CERTIFICATE.	Price of Coal on Board of Ship. per Chal.	Price of Coal on Board of Ship. per Ton.	DEDUCTIONS. Cost of Transit from the Pits to the Place of Shipment. per Chal.	Cost of Transit per Ton.	Agency or Fittage with Guarantee. per Ton.	Repairing and Upholding Waggons. per Ton.	TOTAL. per Ton.	Net price of the Coals at the Pits. per Ton.
			s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Auckland St. Helen's	St. Helen's Wallsend	25/	9 5·2	6 7·58	2 6.03	0 4·5	0 3·5	3 2.03	6 3.17
— - -	Musgrave's Wallsend	22/6	8 5.88	6 7·58	2 6.03	- -	- -	3 2.03	5 3.85
Auckland, West -	Auckland Wallsend -	21/	7 11.08	6 11	2 7·32	- -	- -	3 3·32	4 7.68
Black Boy - -	Tees Wallsend -	27/	10 2.26	6 5	2 5.05	- -	- -	3 1.05	7 1.21
Butterknowle -	Prattman's Butterknowle	22/6	8 5.88	7 6.66	2 10.21	- -	- -	3 6.21	4 11.67
— - -	— Unscreened	18/	6 9·5	7 6.66	2 10.21	- -	- -	3 6.21	3 3.29
Cockfield - -	Clevesland Wallsend	18/	6 9·5	7 4·55	2 9.41	- -	- -	3 5.41	3 4.09
— - -	Dixon's Butterknowle	21/6	8 1.35	7 4·55	2 9.41	- -	- -	3 5.41	4 7.94
— - -	Raby Wallsend -	18/	6 9·5	7 4 55	2 9.41	- -	- -	3 5.41	3 4.09
— - -	Dixon's Tees Eden Main	21/	7 11.08	7 4·55	2 9.41	- -	- -	3 5.41	4 5.67
Deanery - -	Deanery Wallsend -	19/6	7 4.29	6 3.1	2 4.34	- -	- -	3 0.34	4 3.95
Eldon - - -	South Durham Wallsend	25/	9 5.2	5 9·7	2 2.3	- -	- -	2 10.3	6 6.9
Etherly - -	Old Etherly Wallsend -	21/6	8 1.35	8 1.98	3 0.97	- -	- -	3 8 97	4 4.38
— - -	— Unscreened	18/	6 9·5	8 1.98	3 0.97	- -	- -	3 8.97	3 0.53
Norwood - -	Gordon's Wallsend -	26/	9 9·73	7 3·29	2 8.94	- -	- -	3 4·94	6 4.79
Shildon - -	Adelaide's Wallsend -	25/	9 5.2	6 3.1	2 4.34	- -	- -	3 0.34	6 4.86
Witton Park -	Witton Park Wallsend -	21/6	8 1.35	8 3	3 1.35	- -	- -	3 9·35	4 4
— - -	— Unscreened	18/	6 9·5	8 3	3 1.35	- -	- -	3 9·35	3 0.15

Average price of Best Coals - - - - - - - - 5/0 $\frac{72}{100}$
Average price of Unscreened Coals - - - - - - - 3/0 $\frac{82}{100}$

1546. This purports to be a list of the collieries, with the price of coal on board ship, the net price of the coals at the pit's mouth, and the expense of the transit?—It is.

1547. Now take the first, Auckland St. Helen's, net price at the pit's mouth is 6 *s.* 3 *d.* per ton, and the cost of transit from the pit's mouth to the ship is 3 *s.* 2 *d.*, leaving to the proprietor only 6 *s.* 3 *d.* for his coals?—Yes.

1548. Do you know at what expense these are brought to the surface?—I do not exactly.

1549. Are the Committee to understand there are no coals on the Tees brought to market at less expense of transit than South Durham Wallsend, which cost 2 *s.* 10 *d.* for the transit?—I believe these are the cheapest for the railway dues and other expenses.

1550. And that they range to 3 *s.* 9 *d.*, being the Witton Park?—Yes.

1551. Mr. *Pease.*] What distance is Witton Park from the point of shipment here assumed?—Witton Park is 29 miles from the place of shipment; the dues are charged at 1 *d.* per ton per mile, two inclined planes at 6 *d.* per ton each, bridge toll 1 *d.*, wharfage and labourage 2 *d.* per ton; then taking 15 per cent. off the whole of these charges, and adding 4 ½ *d.* per ton for agency or fittage, and 3 ½ *d.* per ton for repairing and upholding the waggons, will make the amount of charges 4 *s.* 4 *d.* per ton.

1552. You have stated the dues, and amongst the other items 2 *d.* wharfage and labourage; is that subdivided by the company into two items? is the wharfage 1 *d.* and labourage 1 *d.*?—Yes.

1553. What is the labourage?—The expense of putting the coals on board the vessels.

1554. What is the other?—Toll or wharfage due, for the use of staiths and the wharf.

1555. The *Chairman.*] Are the Committee to understand that these coals which are paying for transit 3 *s.* 9 *d.* only net the owners at the pit's mouth 4 *s.* 4 *d.*?—Exactly so.

1556. And that they are shipped at 8 *s.* 1.35 *d.*?—Yes.

1557. Can you state what they sell in the London market for?—I do not know exactly, they seldom come to market, the Witton Park coal.

1558. Why so?—They are a very tender quality and will not carry well.

1559. It

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1559. It appears, as to the Tees Wallsend, the net price is 7 *s.* 1 *d.*, and the transit 3 *s.* 1 *d.* per ton, so that the price is 10 *s.* 2 *d.* on board ship; what do those sell for in London?—I see the Tees Wallsend, quoted on the market list, June 3d 1836, 20 *s.*, and May 1827 the same coals are quoted at 19 *s.* 9 *d.*; 23d of May, Wallsend Tees are quoted 20 *s.* per ton. The price of these coals is from 6 *d.* to 1 *s.* below the highest price of coals at the market.

1560. So that the expense from the port of shipment is about 9 *s.* 10 *d.* to the Pool?—Yes.

1561. That includes freight, staith dues and other port charges?—Yes.

1562. Are there many coals sold at the Tees that do not come to London?—Part are sold coastwise.

1563. Is there a capacity in these different pits to supply a much larger quantity if the price would afford it?—Yes, there is capacity for raising a larger quantity of coals from the collieries.

1564. Do you know why the Tees collieries joined the regulations in 1834; were you secretary?—I was secretary immediately after the joining.

1565. Were any resolutions come to, or any reasons assigned for joining?—The reasons the coal-owners on the Tees had for joining, was, that they were losing money when there was an open trade, and they were anxious to join.

1566. Have you any statement of the prices in each year?—I have not any statement of prices before 1834.

1567. Were they lower than they are at present?—They were lower during the time of the open trade than they are now.

1568. Have the regulation prices been raised since 1834?—Some of them have, and some of them have been reduced; I have a list stating the prices at the time when the Tees joined the regulations in 1834.

[*The Witness handed in the same, which is as follows:*]

TEES COAL-TRADE.

PRICES of the different COALS on board of Ship at *Middlesborough*, 1st March 1834.

COLLIERIES.	CERTIFICATE.	PRICE	
		Per Chaldron.	Per Ton.
			s. *d.*
Auckland St. Helen's - -	Musgrave's Wallsend -	20/	7 6·56
– West - - -	Auckland Wallsend - -	21/	7 11·08
Blackboy - - - -	Tees Wallsend - - -	24/	9 0·67
	Eden Main - - -	21/6	8 1·35
Butterknowle - - -	Prattman's Butterknowle -	22/6	8 5·88
	Ditto - - unscreened -	20/	7 6·56
Cockfield - - - -	Cleveland's Wallsend -	19/	7 2·03
	Dixon's Butterknowle -	21/6	8 1·35
	Raby Wallsend - - -	19/	7 2·03
	Dixon's Tees Eden Main -	21/	7 11·08
Deanery - - - -	Deanery Wallsend.		
Eldon - - - -	South Durham Wallsend -	22/6	8 5·88
Etherly - - - -	Peirse's Wallsend - -	22/6	8 5·88
	Old Etherly, unscreened -	20/	7 6·56
Norwood - - - -	Gordon's Wallsend - -	22/6	8 5·88
Shildon - - - -	Adelaide's Wallsend -	22/6	8 5·88
Witton Park - - -	Witton Park Wallsend -	22/	8 3·62
	Ditto - - - unscreened -	20/	7 6·56

The Blackboy and some more of the best coals have raised 2*s.* a chaldron between 1834 and the present year; the others have reduced in consequence of not being able to sell their coals at the prices fixed in 1834.

1569. Has the reduction been made by the owners themselves, or the committee?—The owners of the collieries applied to the Coal-trade at large to have the reduction made, as they could not sell their coals: that was granted by the Coal-trade.

1570. Do you know on what ground they applied for the reduction?—Because they could not sell at the price stated in 1834.

1571. Comparing their prices with other coals, they were too high?—Yes.

1572. Mr. *Pease.*] Are you aware whether, in case of any of those coals whose prices have been raised, there has been an improvement, either in the coal as found

in

in the mine, or in the mode of manufacturing and preparing it for the market?—There has been in both; the Blackboy is one, and the Gordon's is the other. The coal has become harder and more able to be carried since it entered the regulations, as well as the mode of manufacture, or the screening has been increased.

1573. Does it occupy a considerable length of time to obtain a name, character and standing, for coals sent from the north to the London market?—No doubt it does: when a coal comes first to the market, it is not known until it has been some time in the market; when its qualities are known, it takes a better price.

1574. As soon as the public are satisfied it comes of a good quality, the demand is more regular, and it obtains a better relative price?—Yes.

1575. Would these observations apply to any of the Tees coals?—They apply very forcibly to the Blackboy; that coal sold very low at the commencement, until it was known what the quality of the coal was, and the size it came to market.

1576. Do you know whether there has been a continued increase of pains-taking to keep it clear of slates, stones and other objectionable matter, so as to recommend it to the consumer?—From my knowledge of the colliery, I believe that has been the case.

1577. *Chairman.*] I observe, in the price of the coals at the pit's mouth, St. Helen's Wallsend is put down at 9*s.* 5*d.*, and in the paper you have given in, the 1st of March, the price is put down only at 7*s.* 6*d.*, being a difference of 1*s.* 11*d.* between the accounts?—Perhaps there is a difference in the name; Musgrave's Wallsend and St. Helen's Wallsend are two different coals, and two different prices: in 1834 nothing but Musgrave's was going to market.

1578. Take Musgrave's Wallsend in the account you give of the price on board, 8*s.* 5·88*d.* of the one, and you give in the other 7*s.* 6·56*d.*, showing an advance of nearly 11*d.*; how do you account for that?—The price has been increased from the improvement of the samples of coal from 20*s.* to 22*s.* 6*d.*; the first price was in March 1834, which shows an increase from 20*s.* to 22*s.* 6*d.* from the improvement in the colliery. It was a new colliery; the coals were wet, and not so good a sample as they were in 1836.

1579. Are there any of the refuse coals burnt on the Tees, or is it brought down to the water?—There is an immense quantity of small-coal burnt.

1580. At any distance from the sea?—In the neighbourhood of the coal pits.

1581. Do you mean it cannot be sold?—It cannot be sold.

1582. Not at any price?—They give it away in many instances to the Stockton and Darlington Railway.

1583. Is not that railroad for 20 or 30 miles ballasted with small coals?—It is ballasted with small coals.

1584. Do you know whether the Stockton and Darlington Railway offer any encouragement by way of reduction of dues for the exportation of the small coals?—For small coals exported they allow a deduction of 50 per cent. from the dues.

1585. From the dues you have already stated?—No; with 15 per cent. added to those dues.

1586. Explain what you mean by a reduction of 15 per cent., and state when that rate was fixed from which there is a reduction?—The deduction is made from a rate or a list of rates, which the company have charged for coals coming down the road.

1587. The Railroad Company?—Yes.

1588. When was that fixed?—It is generally fixed at their general annual meeting, being in June or July; if there is no alteration, it proceeds on from year to year in the same way.

1589. When an alteration is made, is it an advance of so many per cent., or a reduction of so many per cent.?—The per-centage was taken off during the time of the non-regulated trade, to enable the coal-owners to sell their coals at all.

1590. Are you clerk to the railroad?—No, I am the engineer.

1591. Can you state what the profit divided on the railroad has been?—There are accounts which I do not see as engineer.

1592. Have you any other account?—I have here a list, giving the issues monthly to each colliery from March 1834 to May 1836.

[*The Witness handed in the same, which is as follows:*]

Mr. *Thomas Storey.*

30 June 1836.

Issues given out by the Committee of the Coal Trade, from the 1st of March 1834 to the 1st of June 1836.

		Per	
1834, March		40	
– April		50	90
– May		50	140
– June		55	195
– July		65	260
– August		80	340
– September		75	415
– October		80	495
– November		80	575
– December		65	640
		640	

		Per	
1835, January		40	
– February		60	100
– March		58	158
– April		65	223
– May		60	283
– June		40	323
– July		55	378
– August		70	448
– September		80	528
– October		85	613
– November		85	698
– December		70	768
		768	

		Per	
1836, January		35	
– February		50	85
– March		55	140
– April		65	205
		205	

1593. Can you give an account of the actual vend for the months of October and November 1835, and April and May 1836, distinguishing the London from the general trade?—I will send it up.

1594. Will you state the deepest pit on the Tees?—About 80 fathom.

1595. And the shallowest?—Within about 10 or 15 fathom of the surface.

1596. Which is the deepest one?—St. Helen's Wallsend.

1597. And which is the shallowest?—Butterknowle.

1598. Is that a new colliery?—It is both new and old; it has been an old colliery, but a new opening made in it.

1599. Are there any way-leaves on any of these collieries?—Only one.

1600. Which is that?—Adelaide's Wallsend.

1601. What is the amount of the rent paid?—I do not know; there is only one lessor paid; part of the coals from St. Helen's Auckland also pays a way-leave to one individual.

1602. Mr. *Pease.*] Are you aware whether the owners of Eldon colliery pay way-leave to Mr. Smithson?—I am not aware of that; they pass over his estate, I believe.

1603. Do Messrs. Page & Company pay any way-leave to Messrs. Smithson and Surtees?—The colliery is not yet open; but they will have to pay way-leave.

1604. Are you aware that the owners of Thrustwood have to pay way-leave to get to the Hagalees branch?—I am not aware of that.

1605. Have they any means of getting their coals to the railway without paying such way-leaves?—I believe not.

1606. Are you aware prospects have been held out to the public of having coals of a superior quality delivered at greatly lower rates, provided the Legislature sanctions one or two railroad Bills which have been introduced to their notice?—If the question refers to the South Durham, and the Durham South-west Junction, I am.

1607. Are you prepared to state to the Committee whether you are acquainted with the coal district proposed to be intersected by those two lines of railway?—I know one very well; the other I know generally.

1608. Did the Durham South-west Junction Railway propose to open any new tracts of coal not at present approached by railway communication?—The whole is at present approached by railway communication.

1609. Is the district approached by the South Durham Railway now opened out, or approached by any railway communication?—No; the Stanhope and Tyne is on the north side of it; but there is no railroad communicating immediately with the district to which it was intended to go.

1610. How far do you consider the Stanhope and Tyne Railroad may be considered to be from the heart of the South Durham coal-field, as connected with the South

South Durham Railway?—I cannot speak correctly as to that point, not having measured the distance. Mr. *Thomas Storey.*

1611. What would you consider the centre which is passed through by the South Durham Railroad?—I should think the neighbourhood of Stanley or Crook. 20 June 1836

1612. How far is Crook from the Stockton and Darlington Railway?—I should think not more than about three miles from the Stockton and Darlington Railway, at Witton Park colliery.

1613. Do you know of any engineering difficulty as to laying a branch from Crook to the Stockton and Darlington Railway?—None whatever.

1614. You say you are generally acquainted with that district; can you give the Committee any idea of the comparative quality of coal found in that district, with reference to any coals now at market?—The coals that are at present worked in that district are certainly not very far from the crop of the seam; on that account the coal is tenderer; but some of the pits are about 35 fathoms; we have some of the same depth in the Auckland district, and the quality of both are very similar; that is Witton Park and Old Etherly; these coals are very similar in appearance, and very similar in quality; the quality is good, but they require hardness, and they will not bear transit.

1615. Assuming the railroad is laid, and the charges on that railroad are similar to the charges on other lines of railroad, can you state to the Committee on what ground any expectation of a reduction of price of coals might be reasonably entertained?—I have not entered into the subject of the expense of that railroad; knowing the situation, and having seen the section of the line, I should think if charges were made on that line similar to those made on others, which are found to be necessary to work them and keep them in repair, that considering the distance, they could not be carried to market cheaper than the present coals are.

1616. *Chairman.*] Are you not aware the object of the Durham South-west Railroad was to avoid particular parts of the Stockton and Darlington Railroad, on which a very heavy charge is made for passing up the Clarence Railroad?—I do not know exactly their motive for doing it. I heard it was stated so.

1617. Are you not aware that for a very short space, of a mile or two, the charge of 2 *d.* per ton is made for coals coming from that district?—All coals passing down any portion of the Stockton and Darlington, to join the Clarence, are charged 2 ¼ *d.* per ton per mile.

1618. If the South-west Durham Railroad was executed and carried into effect, agreeably to the plan laid before Parliament, would they not be able to carry coals to the Clarence Railroad without that charge, or at a much lower rate?—They would be able to carry them at the charge which they stipulated in the Act. I made some calculations on that subject; I have taken two points as places where all coals from the Auckland district must pass one where they cross the Blackboy inclined plane, and St. Helen's Auckland as the other point. It appears that from the Blackboy there was 7 *d.* per ton in favour of the Durham South-west Junction, and 5 *d.* per ton in favour of the same line from St. Helen's Auckland; that was the whole difference, charging the 2 ¼ *d.* per ton per mile.

1619. Do you mean that compared with the ordinary charge on the rest of the line of the Stockton Railroad?—Yes.

1620. Mr. *Pease.*] Did you make any calculation to show what the coal-owners for those two collieries, from the two points you have now alluded to, would pay by the proposed railroad, as compared with what they have paid to the Stockton and Darlington Railways, on the average of two or three years?—I made a calculation, taking the dues on the Durham South-west Junction to be the same as those charged on the Stockton and Darlington Railway; (and I think they must be the same, because I know the present charges of the Stockton and Darlington Railroad are only sufficient to do the work and maintain the line;) the expense by the Durham South-west Junction would be considerably more than by the Stockton and Darlington.

1621. Do you mean to state to the Committee coals could be carried cheaper down the Durham South-west Junction line than they have been carried down the Stockton and Darlington?—No; I think they could not be carried so cheap; there were several inclined planes on that line; one permanent engine and two self-acting planes.

1622. Mr. *Ingham.*] In the Stockton and Darlington Railway are there not two rates of charges; one on coal passing along for the purpose of inland consumption,

Mr. *Thomas Storey.*

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sumption, and the other on coal passing along for the purpose of shipment?—Yes.

1623. What are the respective charges?—The one is for home consumption 2 ¼ *d.* per ton per mile, and for shipment 1 *d.* per ton per mile.

1624. Was not the complaint of the owners of those collieries who intended to make use of the South-west Durham, if they passed along for shipment at Port Clarence, that they were charged the price payable on coal passing for home consumption, and not the penny payable on coal passing for shipment?—Yes, it was.

1625. Mr. *Pease.*] Do you know whether there was a single coal-owner complained or petitioned Parliament on the subject?—I do not think there was.

1626. In point of fact, the coal-owners have not paid the extra charge to which you allude, to any extent?—There has been a very small quantity sent down in that way.

1627. How long have you been connected with the coal trade?—Since 1808.

1628. Will you give this Committee your opinion as to the advantages and disadvantages of a regulated and unregulated trade, as concisely as you can?—I think a regulated trade is beneficial for all parties. I would first say it is so to the coal-owner; it enables the lessee or worker of coal to know to what extent he shall organize an establishment for working of his colliery, that he may work it to the best advantage both to himself and to the public; also, by the regulation of the quantity according to the demand in the London market, the shipowner knows to what extent he will have to carry; he knows the price of freights will be steady, or more equal than when rising and falling as they do in open trade; his ship will not be lying in London so long when he has all his men to pay; and when they come home, if not wanted, they would be discharged. It is also beneficial for the coal-factors and coal merchants, as well as the public in London; because the price is steady at what is considered a fair and remunerating price, to the public, and the coal merchant has a regular supply of that article as he wants it. Of course in an unregulated trade the reverse takes place in all these cases.

1629. Are you able to state to the Committee whether, in your opinion, the coal trade has during the last 10 years been a fair remunerating trade for the capital invested?—I am not fully aware of all the minutiæ of the different collieries; but from a general knowledge I should say, during the open trade it was not a remunerating trade at all, but a losing trade; that latterly the profit to be derived, on an average of all the collieries, is hardly a remunerative profit, considering the risks these collieries have to encounter.

1630. *Chairman.*] You have stated the effect of the regulation is to give a remunerating price; do you mean a remunerating price to any one, or to all the collieries, or what do you mean by a remunerating price?—I mean a price which will pay the expense of working and the interest of capital expended.

1631. Are you not aware that some collieries may be paid a remunerating price at 20 *s.* while others will not give a remunerating price at 22 *s.*, for the same quality of coal?—I believe that to be the case.

1632. Do you recollect the preceding regulations to those of 1834; those of 1827 and 1828?—I was not connected with the regulation of the trade at that time, but I know of them.

1633. You know the present regulation price was taken at 26 *s.* 6 *d.* for the best coals; are you aware of that?—On the Wear I believe it was.

1634. Do you know what it is now?—Twenty-eight shillings and sixpence.

1635. What was taken as the regulation price in 1827 and 1828 on the Wear?—I do not know exactly; I think it was 36 *s.* 6 *d.*

1636. Are you aware there was an open trade in 1829?—Yes.

1637. What was the effect of that open trade; was it not to lower the price very considerably?—I am not aware to what extent, but there was a lowering of the price.

1638. Do you know what the regulation price of 1832 was?—I cannot speak positively to that.

1639. Do you know what was the regulation at the commencement of 1834?—Twenty-six shillings and sixpence.

1640. What is it now?—Twenty-eight shillings and sixpence.

1641. Are you not aware the effect of every open trade has been to reduce the regulation price of the collieries?—It has for a certain time

1642. Has it not permanently?—Yes.

1643. You do not pay 36 *s.*; you do not pay 32 *s.*; you have come down regularly

larly from 36 *s.* to 32 *s.* and to 26 *s.*, and you are now 28 *s.* 6 *d.*; is not that the fact?—Yes, I believe that is so.

1644. It is permanently reduced, is it not?—No doubt it is reduced since that time.

1645. You have stated that a steady supply and a remunerating price is secured by the regulation?—Yes.

1646. The coal merchant has a regular supply?—I believe he has.

1647. Do you know, that during the open trade the coal buyers had not a regular supply, or do you know how the market was supplied?—I do not.

1648. Have you not said that an open trade gives you the reverse; and what is the reverse of a steady price and the reverse of a remunerating price?—I think an open trade would create an irregular supply, because the vessels would be hurried all to one end; as soon as they were loaded they would be sent away; they would meet with contrary winds, and keep first at one end and then the other.

1649. Is there not an equal chance of that now?—No, I think not.

1650. Is there anything that comes to your knowledge that enables you to say there was not an ample supply in London during the time there was no regulation?—I have seen the market lists, and they did describe there were very few ships remaining at market during the time there was no regulation.

1651. Mr. *Pease.*] Have you noticed the fact of there being an advance of 2 *s.* in a day from one market to the other?—Yes, I have.

1652. Mr. *Lambton.*] When the coal trade was open, did the coal-owners make a remunerative profit?—I should think not.

1653. Was there not great distress and ruin among the coal trade?—Generally there was; both among the workmen and every description of persons connected with the coal trade.

1654. *Chairman.*] If the coal-owner did not get so high a price, must not the consumer have bought his coals cheaper?—At that time he must.

1655. In the proportion the coal-owner gets the advantage by the rise of coals, the consumer must pay more?—Entirely so.

1656. State, if you can, what occasioned the rise of 2 *s.*, from 26 *s.* 6 *d.* to 28 *s.* 6 *d.*?—I believe it was an application on the part of the coal-owners to the trade at large, to state that the prices which they were selling at were not sufficiently remunerating prices, and were below the market value of the coal.

1657. Must not the principle of regulation give very unequal profits to the different collieries?—I cannot speak positively to that; but it is more likely to give a profit to all than otherwise.

1658. Have you not admitted that 26 *s.* 6 *d.* might be a remunerating price to some, while 28 *s.* 6 *d.* might not be a remunerating price to another?—That is supposing a case.

1659. Do you not know of your own knowledge any collieries so situated that there is a difference of working of 2 *s.* in the ton?—I should think there are such.

1660. If there is a difference of 2 *s.* in the ton, has not the regulation the effect of giving to that pit that raises the cheapest as high a price as the most expensive pit?—No doubt.

1661. Mr. *Pease.*] In one of your answers you have led the Committee to infer every rupture of regulation was followed by a decrease of price; I want to ask you whether the effect of a continued regulation is not to induce the opening of many new mines?—I cannot speak positively to that at present.

1662. In the course of the last ten years have there not been a great number of large and extensive new mines opened in the north?—There have.

1663. Do you consider there is any more difficulty in raising the prices under a regulation now than there was 15 years ago?—Yes, I do think there is; because the coals from Scotland, Yorkshire and Wales come to the London market, which prevents the coal-owners of the north raising the price so high as they did before.

1664. You think there has been competition with the north from the ports of Scotland and Yorkshire, which has kept down the price of coals on the legitimate footing of a contending trade?—Yes, I think so.

1665. You state you do not recollect anything about the advance of 2 *s.* from 26 *s.* to 28 *s.*; did you attend the meetings of the coal trade about that time?—I generally attended the meetings.

1666. Do you ever recollect any complaint being made by the coal-owners, although they were selling their coals so low at market, that the public were not getting

Mr. *Thomas Storey.* getting the advantage, and that the ship-owners were receiving excessive freights?—I do not recollect that.

20 June 1836. 1667. Do you recollect whether the ship-owners were receiving excessive freights at that time?—I think they were at that time.

1668. If freights were 7*s.* 3*d.* to 8*s.* 3*d.* in October, and 8*s.* to 9*s.* in November, it appears there was a difference of nearly 1*s.* per ton in the rates of freight?—I cannot speak to that.

1669. What difference would that make per chaldron?—About 2*s.* 9*d.*

1670. If the coal-owners advanced their coals 2*s.*, there was still an advantage of freight of 9*d.* per chaldron to the ship-owner, as comparing the latter date with the former?—Yes.

1671. *Chairman.*] Are you aware that more small coal is sold during the time of open trade than there is during the regulation?—I should think not; there would be less small coal sold in an open trade than during the regulation.

1672. Mr. *Ingham.*] During the open trade they screen more to undersell each other?—Yes; there is more wasted in the open trade than in a regulated trade.

1673. *Chairman.*] Can you give the regulations of the Tees Company, when they joined the general regulation?—I have not the resolutions of the Tees here.

1674. You stated, the coal-owners on the Tees met and came to the resolution to join the regulation of the Wear and Tyne?—Yes.

1675. State the nature of that resolution?—At that meeting they appointed a deputation to wait on the committees of the Tyne and Wear, to enter into some arrangement as to the quantity they were to be allowed as a basis.

1676. Are there any written instructions, or is that the purport of it?—That is the purport of it.

Mr. *John Buddle* called in; and further Examined.

Mr. *John Buddle.* 1677. *Chairman.*] HAVE you prepared an account, showing the items forming the charge of 10*s.*, which was the largest expense for transit from the pit's mouth to the port of shipment?—I have.

[*The Witness handed in the Document, which is as follows:*]

IN THE TYNE, 1834-35.

			s.	d.	s.	d.
On 12,694 Chaldrons:						
Way-leaves			1	10½	–	8·49
Repairs			–	7·54	–	2·84
Haulage			3	2·66	1	2·59
Waggons			–	2	–	0·77
Leading to Staith			5	10·7	2	2·69
Staith Charges			–	4·75	–	1·8
Cost into the Keels			6	3·45	2	4·49
Distance by land seven miles.						
Waterage from the Staith to the Ship:		s.	d.			
Keel dues		2	6			
Owner's wages		–	5¾			
Contribution to the Keelman's Hospital		–	–¼			
		3	–			
Keel rents		–	8·55			
				3	8·55	1	4·79
Distance by water 10 miles.						
				10	–	3	9·28

1678. The way-leaves of 8*d.* per ton have been agreed to by private arrangement?—Yes; under an old agreement.

1679. You put down 2*d.* as repairs of way; do you mean the railway?—Yes.

1680. An iron railway?—A wooden railway; a third of iron, the remainder of wood.

1681. Have they not adopted iron railroads?—Almost entirely now; as the old ways are wearing out they are replaced with iron.

1682. What is the comparative expense?—It is a very considerable saving in favour of iron; the prime cost of iron is more; but in the whole there is a great saving.

1683. You

1683. You put down the haulage 1 *s.* 2 *d.* per ton; is not that much less on an iron railroad than on a wooden railroad?—Yes.

1684. In that also there has been a considerable reduction of expense?—There has; I was asked for an extreme price.

1685. Is this for the present year?—Twelve months ago.

1686. In 1834-35?—Yes.

1687. Now, has there been any economy in the waggons using iron instead of wood?—No, that is a very low price for the waggons and for the way and rails; these things were wearing out, and there was no great expense for repairing.

1688. There has been no economy in that?—No.

1689. Are the same kind of waggons used that were formerly?—The same kind have been used for ten years; we had an idea that iron waggons were the most reasonable, but we find from experience that they are not, and we are going back to wood again in many cases.

1690. What are the staith charges, 1 ¾ *d.*?—The staith being up a tide river, with a lead of seven miles, requires the waggons to be daily going, and when craft is not there to receive the coals, they are deposited on a wharf, and then there is a charge of 3 ½ *d.* per chaldron, which takes place to put them into the craft instead of being poured direct from the waggons.

1691. The amount of the costs from the pit's mouth to the water is 2 *s.* 4·49 *d.*?—It is.

1692. Then from the keel to the ship there is a charge of 1 *s.* 4 *d.*?—Yes.

1693. Consisting of keel dues, 2 *s.* 6 *d.*; by what regulation or principle is that calculated?—It is more than a century old; when that 2 *s.* 6 *d.* happens to be too small a rate to pay the bargemen, that additional sum of owner's wages is put on, and it varies from 5 *d.* to 9 *d.* according to the distance up the river.

1694. Has there been no alteration in the amount for the last 30 or 40 years?—Not in the 2 *s.* 6 *d.*; but in the owner's wages there has.

1695. Has it been reduced?—No, added to; the bargemen on the river Tyne now have the highest wages that they had during the war; there has been no reduction on their wages at all, that I know of.

1696. What are their wages per day?—The keelmen reckon by the tides, but at present their occupation is almost gone, the number of coal keelmen being much reduced; but they do not reduce their rate. They would rather work an occasional day's work at that rate than have regular employment at a reduced rate.

1697. Do you mean the spouts and railroads have superseded the use of keels?—Yes, they have in a great degree; I have known a Wear keelman make perhaps 90*l.* to 100*l.* a year; I cannot speak so well to the Tyne keelmen, but I do not think they ever made so much.

1698. You have put down one farthing a chaldron for contribution to the Keelmen's Hospital; is that voluntary?—No, it is under an Act of Parliament; the coal-owners contribute that, the keelmen themselves paying so much per tide out of their wages.

1699. Are there annuities granted to superannuated men?—Yes, and an hospital in which they live is maintained; I believe there are pensioners both in the house and out of it.

1700. What number?—I do not know.

1700*. Three shillings and ninepence farthing is the expense of transit from the pit's mouth to the ship; what do you consider the remunerating price to the owners per ton?—About 1 *s.* 6 *d.*

1701. Are the Committee to understand this 3 *s.* 9 *d.* is the highest charge you know on any coals in the Tyne?—I think it is for conveyance.

1702. What is the lowest?—About 2 *d.* or 3 *d.* per ton, which is the Percy Main; there is no way-leave paid.

1073. Will you look at the return given in of the expense of cost of transit on the Tees, from the pit's mouth to the ship, where the charges varied, the lowest 2 *s.* 10 *d.* to 3 *s.* 9 ¼ *d.* per ton, and state whether that on the average exceeds the charge on the Tyne and Wear, as far as your knowledge goes?—I should think not.

1704. Can you prepare a similar statement to that?—I do not think I can.

1705. Mr. *Pease.*] Are you aware whether those collieries on the Tees are three or four times the distance from the place of shipment that your collieries on the Wear are?—I think they are.

Mr. *John Buddle.*

20 June 1836.

1706. The expense will be increased in consequence of the distance?—Our most distant collieries on the Wear do not exceed perhaps nine or ten miles.

1707. You have given the expense from the pit to the ship; can you give us the expense from the ship to the port of London?—I can; they differ a little from the different ports. I have one here from Sunderland, Stewart's Wallsend, price of coals on board 10 *s.* 9 *d.* per ton, that is taking it at about equal to 1 *l.* 8 *s.* 6 *d.* the Newcastle chaldron; the cost into London, paying 8 *s.* 4 *d.* freight, is 1 *l.* 1 *s.* 5 *d.*

[*The Witness handed in the same, which is as follows:*]

June 1836.—Expenses on Coals shipped in the *Tyne* and delivered in London:

Shipped by Spout:

	s.	d.	
Lights, 3 ¼ *d.*, and town-dues, ¾ *d.*	–	4	per ton.
Charges in London	2	2	
Insurance	–	2	
	2	8	

Shipped by Keels:

	s.	d.	s.	d.
Lights and town-dues	–	4		
Keel-dues	–	10		
			1	2
Charges at London			2	2
Insurance			–	2
			3	6

There is generally a saving of 6 *d.* to 9 *d.* per ton, in the freight, on ships loaded by keels.

Freights have been as high as 9 *s.* 6 *d.*, but are now, 13th June, 8 *s.*

Ships chartered from Sunderland or Seaham pay their own Custom-house expenses, by which the charges on the cargo are confined to those in London, but they receive an equivalent in the freight, making the result to the shipper just about the same.

From the *Wear*.

Cost of a Ton of Stewart's Wallsend Coals, delivered in the *Pool:*

	£.	s.	d.
Prime cost on Board	–	10	9
Freight	–	8	4
Carges in London (factor dues)	–	2	2
Insurance	–	–	2
Price which ought to be obtained in London, to pay the Ship and Coal-owner	1	1	5
June 13th—Price in Pool	1	1	3
Loss to Freighter	–	–	2

Adair's Main Coals, shipped by Keels on the *Tyne:*

Prime cost on Board per ton	–	7	2
Freight	–	7	6
Charges in London	–	2	2
Lights, 4 *d.*, Keel-dues, 10 *d.*	–	1	2
Insurance	–	–	2
	–	18	2
Sold in the Pool on the 13th June, for	–	18	3
Gain per ton	–	–	1

That is to say, I have received 7 *s.* 3 *d.* per ton for the coals instead of 7 *s.* 2 *d.*, the selling price on the Tyne.

John Buddle.

1708. Is

1708. Is that all the charge on the coal from leaving the owner until it is delivered into the buyer's craft, and including the factor's expense?—It is, until it is delivered into the barge.

1709. Is the factor's account included in the 2 *s.* 2 *d.* charge in London?—It is.

1710. Is 2 *d.* per ton insurance a fair average for the whole year?—I believe it is.

1711. Then 1 *l.* 1 *s.* 5 *d.* is the price which you consider the coal-owners and the ship-owners ought to receive, having remunerative prices?—I conceive so at the present scale of prices; that is what these two branches of the trade ought to receive to pay them fairly.

1712. I observe in the account of Adair's Main coals you allow 7 *s.* 6 *d.* for freight only, while for the Stewart's Wallsend you charge 8 *s.* 4 *d.*; why do you make that difference?—Because in the River Tyne, if the coal-owner is freighting, he pays the lights, over and above the freight.

1713. Why should that difference exist?—It is the custom of the two rivers.

1714. In the account from the Wear the lights are included in the amount of freight?—Yes, they are.

1715. While in the accounts from the Tyne the lights are charged separately, and thus the difference of the account arises?—That is the way the difference arises.

1716. Have you an account of the vend of coals from the River Tyne similar to the one you have given from the Wear?—I have, and which I hand in.

[*The Witness handed in the same, which was as follows:*]

TYNE VEND.

Year.	Tons.	Chaldrons.
1830 - - -	1,932,050	729,075 ½
1831 - - -	1,865,520	703,989
1832 - - -	1,682,649	616,094
1833 - - -	(No Return; open trade.)	
1834 - - -	1,560,770	588,970 {from 1st March to 31st December open London.
1835 - - -	1,849,021	716,612 {London - - 441,717 Coast - - 274,895

WEAR VEND.

1830 - - -	1,205,930	455,068
1831 - - -	1,118,042	421,903
1832 - - -	1,196,347	451,452 ½
1833 - - -	(No returns; open trade.)	
1834 - - -	919,433	365,824 1st March to 31st December.
1835 - - -	1,183,108	446,456

TEES VEND.

1834 - - -	261,244	98,583 1st March to 31st December.
1835 - - -	299,293	112,941

HARTLEY, COWPEN AND NETHERTON.

1834 - - -	101,223	38,197 ½ 1st March to 31st December.
1835 - - -	133,184	42,975 ½

AGGREGATE of each Year from the Regulated Collieries.

1835:	Tyne - - -	716,612
	Wear - - -	446,456
	Tees - - -	112,941
	Hartley - -	42,795
		1,318,984 chaldrons in 1835.
1834 - - - - - -		1,091,574 - ditto - in 1834.
	Increase - -	227,410 chaldrons.

I have here a document which I wish to hand in, showing the powers of production by the regulated collieries on the rivers Tyne and Wear, in September 1829 and June 1836.

[*The Witness handed in the same, which is as follows:*]

Mr. *John Buddle.*

20 June 1836.

River Tyne.—Powers of working in September 1829:

3,835 of 20 peek corves daily: 260 working days in the year.

3,835
260

230,100
7,670

997,100
$2\frac{1}{12}$

1,994,200
83,091

One score produces $2\frac{1}{12}$ chaldrons.

were 2,077,291 chaldrons, or - - - 3,115,936 tons.

In 1836 forty regulated collieries - - -	4,629,624	
Five collieries out of regulation - -	180,200	
		4,809,824
Increase in the powers of raising from Sept. 1829 to June 1836, six years eight months - - - - -		1,693,888

The Wear.

2,503 of 20 peek corves, 21 corves to the score.
2.1875 chaldrons per score.

	Chaldns.	Tons.
Then $2{,}503 \times 2.1875 \times 260 =$	1,423,240	or 4,771,586
In 1836 nine regulated collieries - -		3,314,098
Increase of powers since Sept. 1829 -		542,512

	Chaldns.
Callerton in regulation, but not included in the above - - - - - - - -	20,000
Not in Regulation:	
Townley - - - - - - - -	30,000
Stormont - - - - - - - -	10,000
Kibblesworth - - - - - - - -	4,000
Leazes - - - - - - - -	4,000
	68,000 or 180,200

Annual Powers of working on the Rivers *Tyne* and *Wear*.

	Sept. 1829.	June 1836.	Increase.		
	Tons.	*Tons.*	*Tons.*		
Tyne - -	3,115,936	4,809,824	1,693,888	per cent.	54.3
Wear - -	2,771,586	3,314,098	542,512	ditto	19.5
Total - -	5,887,522	8,123,922	2,236,400	per cent.	36.9 mean increase.

1717. Am I to understand the whole powers of working in the river Tyne and Wear have increased from 1829, when they were 5,887,522 to 8,123,922 in the year 1835?—Yes.

1718. Being an increase of 2,236,400 tons, or a mean increase of 37 per cent. in the course of seven years?—Yes.

1719. Mr. *Pease.*] Is that over and above the powers of the Tees?—Yes.

1720. *Chairman.*] On what principle have you calculated the powers of working in 1829; are they calculated in both years alike?—Yes; the power of raising by what we call single shift, that is by day's work without working night and day.

1721. Of how many hours does your day's work consist?—For the men eight hours, and for the boys 12.

1722. How do you calculate on that?—We work all by the score; 20 baskets on the Tyne, and 21 on the Wear; each basket or corf containing 20 coal pecks, or five tons and a half to the score on the Tyne, and five tons and three-quarters to the score on the river Wear. Then as to the day's work, it is piecework by the men, and a good workman would complete his work in three or four hours, while an indifferent workman will be five or six.

1723. Is the same ratio observed in the calculation for the two years?—Yes, it is, by the number of scores or chaldrons raised per day.

1724. Can

Mr. *John Buddle.*

20 June 1836.

1724. Can the same number of men raise more now in an hour than they did in 1829?—They could, but they do less; they have restricted their work in several collieries to a certain standard by the union, which they do not go beyond.

1725. From any facility in machinery, or in working, can they, if they choose, do their work in less time?—If they chose to put forth their powers they could; but a good workman is not, under the system of union, to finish his day's work in a shorter space than an indifferent workman. I hold in my hand a list of the collieries, showing their daily powers of production; and when any given quantity of work is to be produced in a day, that work is distributed among the workmen belonging to the pit or colliery: it is divided equally among them, and each has his portion to produce, a given quantity.

1726. Is that the general rule in each colliery?—Yes, that each man may have a fair participation in the quantity of work that is to be produced. I find in 1829, on the river Tyne, the daily powers of production were 3,825 scores; and from these returns I have calculated the paper which I have delivered in, showing the increase of powers between 1829 and 1836.

1727. Mr. *Pease.*] Can you state how many collieries there were on the Tyne in 1830?—Thirty-nine in the regulation.

1728. How many are there now?—There are 41, to the best of my recollection, under regulation; but there are two or three that are in suspense, and are not yet awarded their quantities.

1729. How many were there on the Wear in 1830?—Nine.

1730. How many are there now?—Just the same number.

1731. Have you formed any estimate what additional quantities the new collieries opened since 1830, regulated and not regulated, are capable of producing?—Not since 1830. I have made an estimate of the collieries now opening, and which have direct communication with the shipping places.

1732. State the quantity according to your estimate?—I estimate it at a million tons per annum.

1733. Do you know whether any collieries were closed up or laid in, in 1832 or 1833?—No; I do not know of any that have been laid in since 1833.

1734. Will you give the Committee any opinion how far a fighting trade augmented the relative proportion of small coal?—It was quite enormous; the competition to make the coal better and better made an enormous waste.

1735. You cannot form any idea in the way of ratio or per-centage?—No.

1736. Are you aware the regulation in 1834 commenced with the price of the best coals at 26*s.* 6*d.*, and afterwards it was raised in November to 28*s.*?—Yes.

1737. Can you assign to the Committee any reason for that advance of 2*s.* per chaldron?—The coal-owners found that they were selling at an under-price; that is to say, that the ship-owner was getting too great a freight for his coal, and that the public were not benefited by the low price that the coal-owners were selling at; and that, in fact, one branch of the trade was aggrandizing itself, and that the price charged by the coal-owner was really not sufficient, under all circumstances.

1738. Do you know what the price in November 1834 was on the London market?—Twenty-four shillings per ton.

1739. That was for the best coal?—Yes; I would observe the inferior and second class of coals did not advance; this advance only took place on the best coals, because they were sold low in proportion to the other coals.

1740. What freight did the 24*s.* leave, taking 26*s.* 6*d.* as the price at the port of shipment?—It left 11*s.* 10*d.*

1741. When an addition of 2*s.* a chaldron was laid on, raising the price at the port of shipment to 28*s.* 6*d.*, what freight did it then leave?—Eleven shillings and one penny.

1742. Do you consider that a fair freight?—I think it more than a fair freight; as a ship-owner, I consider it more than fair.

1743. What do you suppose the average rate of freights, estimated by the ship-owners as fair moderate freights, to be?—I should suppose that 7*s.* 6*d.* during the summer, from Sunderland.

1744. Were you speaking of the Sunderland coal just now?—Yes; I should think a variation from 7*s.* 6*d.* in summer to from 9*s.* to 9*s.* 6*d.* or 10*s.* in the winter, per ton, very fair.

1745. As to the price you named for coals, as rating in November 1834, it left how much for the ship-owner?—Eleven shillings and one penny after the advance took place.

1746. *Chairman.*] Is there any difference in the charges on the Tyne and Wear on the keels and ballast attending the shipping of coal?—Yes; but I do not recollect

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lect the ballast charges just now; there has been a reduction m de at Newcastle, I believe.

1747. You are aware, in 1830, 1 *s.* 8 *d.* per ton was charged on all ballast, and 2 *d.* per chaldron on all coals exported?—Yes.

1748. Has any alteration, to your knowledge, taken place since then?—Not on the 2 *d.*, I think, for coals exported; but there is a reduction on the ballast dues, I believe. I have prepared a paper to show the annual increase of the importation of coals into London for the last five years, and the number of new collieries and new pits which are in progress, and about to come into the trade, and which will be in addition to the increase which I have stated on the present powers of working, amounting to 1,000,000 tons per annum.

[*The Witness handed in the same, which is as follows:*]

INCREASE of Annual Importation of Coals into *London* for the last Five Years, 1831 to 1835 inclusive.

	Tons.
Best coals	81,977
Total importation	63,380
Annual Decrease in the inferior sorts	18,597

That is to say, the importation of the best coal has increased at the rate of 81,977 tons, while the inferior has decreased at the rate of 18,597 tons per annum. The new collieries, as stated below, will supply 14·96, but say 15 times the annual increase of consumption in London.

NEW COLLIERIES and PITS coming into the Trade, all of which have free Access to their respective Places of Shipment.

			Chaldrons.	Tons.	Price above 25 *s.* per Chaldron, or 9 *s.* 5 *d.* per Ton.	Above 21 *s.* per Chaldron, or 7 *s.* 11 *d.* per Ton.
WEAR:						
Thornley		30,000	79,500	79,500	—
Haswell		40,000	106,000	106,000	—
Belmont		18,000	47,700	23,850	23,850
Whitewell Grange		20,000	53,000	- -	53,000
Haswell New Pit		40,000	106,000	106,000	—
South Hetton ditto		40,000	106,000	106,000	—
Monkwearmouth		20,000	53,000	- -	53,000
			208,000	551,200		
TYNE:						
Pilston		18,000	47,000	- -	- -	47,700
West Townley		15,000	39,750	- -	- -	39,750
		33,000	- -	87,450		
TEES:						
Crow Trees	12,000	- -	- -	- -	- -	31,800
Coxhoe	30,000	- -	- -	- -	- -	79,500
Evenwood	20,000	- -	- -	- -	53,000	—
Woodhouse Close	20,000	- -	- -	- -	53,000	—
Deanery	20,000	- -	- -	- -	53,000	—
Coppy Crooks	15,000	- -	- -	- -	39,750	—
		117,000	- -	310,050		
		150,000	- -	948,700	620,100	328,600
					328,600	
					948,700	

With Kibbleworth, Leazes, Stormont, &c., this may be called 1,000,000 tons.

BASIS

BASIS of the several RIVERS.

Tyne	1,000
Wear	564
Tees	176
Blyth	75
	1,815 thousand.

The issue of vend in 1835 was 768 per thousand, or 1,393,920 chaldrons, equal to 3,693,890 tons.

The new collieries coming into the trade will give an increase of supply over the vend in 1835 on the

Best coals of	16·8 per cent.
Inferior coals of	8·89 ditto.
In all of	25·69 ditto.

Say 25 ½ per cent.

1749. You have been asked the expenses connected with the outlay in opening a colliery?—I have the paper showing that, but there is a difference of opinion as to the mode the per-centage should be calculated. I do not quite agree in the principle of an accumulating fund; that is, supposing a capital of 60,000 *l.* has been laid out in the establishment of the colliery, as to the mode that it should be redeemed. It is the opinion of some parties that they should take only so much per annum as at 5 per cent. would, at compound interest, redeem that 60,000 *l.* within the period of the lease. I question the correctness of that mode, but, however, I will give it in, in both ways.

1750. In what consists the difference?—The difference is whether I should appropriate a given sum annually in accumulation, or whether I should consider it as a redeeming annuity. It makes a very considerable difference. The paper I now hand in gives it both ways.

[*The Witness handed in the same, which is as follows:*]

ESTIMATE of INTEREST required to Redeem 60,000 *l.* expended on Winning a Colliery, on Leases of 31 and 21 Years respectively.

	£.	s.	d.
Supposing the winning of a colliery, including its establishment of fixed and moveable stock, to cost	60,000	–	–
The moveable stock, which it is assumed will sell for its value at the end of the term, say £. 2,000 – –			
Stock of materials to be sold off at expiration of 31 years £. 18,000 – –			
To sell at 40 per cent. discount, would amount to £. 7,200 – –			
Which to be received at the end of 31 years is only worth in present money 2,204 *l.*	1,586	–	–
	3,586	–	–
£. 10,000, to be sunk in buildings which cannot be removed.	56,414	–	–
Sum remaining to be redeemed in 31 years, would require an annuity of or 6 *l.* 8 *s.* 3 *d.* per cent. per annum on capital.	3,618	12	–

To redeem 60,000 *l.* in 21 years would require an annuity of 4,680 *l.* 3 *s.* 8 *d.*, or 7 *l.* 16 *s.* per cent. per annum on the capital, to redeem it with 5 per cent. interest, without allowing anything for profit, to cover risk.

£. 848. funded annually, to accumulate at 5 per cent., would redeem 60,000 *l.* in 31 years; that is to say, 1,413 *l.*, or 1 *l.* 6 *s.* 3 *d.* per cent. on the capital per annum, would redeem it in 31 years.

Supposing the capital reduced (3,586 *l.*) by sale of materials to 56,414 *l.*, it would require 797,386 *l.* annually, or 1 *l.* 6 *s.* 6 *d.* per cent. per annum on the capital to redeem it in 31 years.

To redeem 60,000 *l.* in 21 years will require an annual payment of 1,679 *l.* 15 *s.* 6 ¾ *d.* at 5 per cent., or 2 *l.* 15 *s.* 11 ¾ *d.* per cent. per annum.

Supposing 4,000 *l.* worth of materials could be sold at the end of the 21 years' lease, 56,000 *l.* would have to be redeemed, which would require an annual payment of 1,567 *l.* 15 *s.* 10 ¼ *d.*, or 2 *l.* 12 *s.* 2 ¾ *d.* per cent.

£. 7. 16 *s.* 0 *d.* per cent. would redeem any capital sum at 5 per cent. per annum in 21 years.

£. 7. 2 *s.* 9 ¼ *d.* – – – ditto – – – in 25 years.

£. 6. 8 *s.* 3 ¼ *d.* – – – ditto – – – in 31 years.

In the above calculations nothing is taken into account for profit.

Jno. Buddle.

Mr. *John Buddle.*

20 June 1836.

1751. When you spoke of the remunerating price which the owners ought to have for their coals, had it relation to the laying by a fund to redeem the colliery after a given period, or simply to the interest without any redemption?—I am speaking of a redeeming fund without any profit at all. If I receive on a 21 years' lease 2 *l.* 15 *s.* 11 ¾ *d.* per cent., I have no profit at all; then the question arises what must I put on that as profit; how much more per cent. ought I to have to remunerate and protect me against all accidents and risks.

1752. Mr. *Pease.*] Do you propose to put in this paper as showing the additional charges on capital invested in mining engagements, over and above the expense of which you have already given the Committee the maximum and minimum?—Yes, or else I get no interest on my money at all.

1753. *Chairman.*] What is your opinion as to the effects of the regulation on the price of coals in the London market?—I have always considered the regulation to be highly beneficial to the public.

1754. Do you mean to the consumer?—Yes.

1755. In what way?—Because, by securing to the trade something like a steady remuneration, although not an exorbitant profit, it has been the means of inducing great numbers of individual adventurers to enter into the trade (men of moderate and small capital); and by that sort of competition among collieries, I think it has been the means of preventing either opulent individuals, or large companies, from securing a monopoly of the trade.

1756. Is there not, in fact, a monopoly now, under the regulation?—I conceive not.

1757. Do you not conceive the price is permanently raised by the regulation?—I think not.

1758. Do not the committee in the north increase or decrease the amount of issue to the ships, according as the price shall be high or low in London?—They do to a certain limit; but if they possessed a monopoly, why should they not charge 15*s.* a ton as well as 10*s.*

1759. Might not an increase of 3*s.* or 4*s.* a ton above the present price let in coals from Scotland or Wales?—Immediately; hence the proof that it is no monopoly.

1760. Then is it not a monopoly up to that point, that they can keep out a competing rival?—I do not see how it is a monopoly, inasmuch as the country is open for any person to open a colliery that chooses to come and take a tract of coal; it is perfectly optional whether he comes into the regulation or not.

1761. Have we not an example lately of the coal-owners having united to prevent any other colliery being opened?—Not to my knowledge.

1762. Did not the coal-owners meet and determine to oppose the progress of two railroads; the South-west, and Durham Railroads?—No, not especially; they met, and proposed to object to the principle of railroads that were not placed on the same footing; it was not an objection to this railway, that railway, or the other railway; but it was the principle.

1763. That principle being to prevent a cheaper mode of bringing coal to market than they had?—Yes.

1764. They paying a heavy charge by way-leaves, and it being proposed by the new roads to bring coals without that heavy charge?—Yes; the coal-owners said, "We only wish equal justice; let us all be saddled with way-leaves, or all be exonerated from them."

1765. Are we to understand that they, being charged with heavy payments for the transit of their coals from the pit's mouth to the sea, were unwilling that a cheaper mode should be provided by these two railroads?—Yes, unless they were relieved also in the same way.

1766. Have they made any application to be relieved?—I do not know that they have.

1767. How can you say that a colliery may be opened anywhere, when you have just stated the opposition given to the opening new collieries by these two lines?—A colliery may be opened anywhere in that district by the party going to open the colliery agreeing with the land proprietors for way-leave, for liberty of passage.

1768. What have the proprietors in the north to do with that; ought not the parties be left to make their own bargain, as others have done before them?—Yes; to make their own bargains, and on the same principle.

1769. Are you not aware that the Darlington and Stockton were left to make their own bargain in 1825, when they got the authority of Parliament to make a railroad?—

a railroad?—Yes; but I consider the Darlington and Stockton Railway under a very different principle to the railways lately brought before Parliament.

1770. Explain what is the difference?—I consider the Darlington Railway to be a legitimate public railway, for the general purposes of the commerce of the country.

1771. Take the Clarence Railroad?— I call that a mere coal-road, or waggon-way.

1772. Was not the Clarence Railroad opened without way-leaves?—Yes, it was, I believe.

1773. Do not these two collieries, the South Durham and South-west, demand a right to open in the same way?—Yes, they do.

1774. Mr. *Pease.*] Would the Durham South-west have opened any new colliery?—Certainly not; it comes precisely to the same field as the Darlington, and I cannot see one single object the South-west Durham could have effected, except dividing the trade with the Darlington Railway, as it comes precisely to the same pits.

1775. *Chairman.*] You have just said the opposition was to the principle?—Yes.

1776. I asked whether these railroads had not been opened without way-leaves?—Yes, the Darlington.

1777. Was there not a Newcastle and Carlisle Railroad opened in the same way, without way-leaves?—Yes; but that connects the two seas for the general commerce of the country.

1778. Take the Hartlepool Railroad in 1832?—That is expressly a colliery waggon-way, and not a railway for the general purposes of commerce.

1779. Mr. *Pease.*] Do you know whether any landlord opposed the Hartlepool?—I do not.

1780. Mr. *Lambton.*] That does not make the injustice to you, who pay high way-leaves, the less?—Not at all; because, admitting that the Hartlepool line has committed a similar act of injustice, it does not follow that the same system ought to go on.

1781. Are you not aware the Blaydon and Hebbon, in 1834, is a railway without way-leaves?—Yes, but it was by the consent of the parties.

1782. Here is a Durham branch and Hartlepool; was not that also without way-leaves?—I believe it was.

1783. Do you know whether the coal-owners opposed these railroads which I have mentioned; the Durham branch, Hartlepool, or Blaydon and Hebbon?—I do not know that they did.

1784. Mr. *Pease.*] Do you know whether that was recommended to the sanction of the Legislature, as offering a grand shipping port of goods from Darlington?—I think it was; at least I think the prospectus says so.

1785. *Chairman.*] Is not the opposition which you have stated the owners made to these two Bills, because they were without way-leaves, an opposition to cheap supply, and an objection to any individual opening a colliery on the most economical principle?—I do not know as to its being an objection to the most economical principle; we would object to the principle, because it is giving an advantage to others which we cannot possess; and then having embarked very large capitals under a certain state of things, in the confidence and faith of their continuing so, we naturally think it is the duty of the Legislature to protect individual interests as well as the interests of companies.

1786. Mr. *Lambton.*] What amount of capital do you think there is embarked in those collieries that pay high prices for way-leaves?—I cannot state the amount, but it is enormous.

1787. *Chairman.*] Did Parliament give you any assurance of a monopoly at the time when you made your private bargains, and an assurance that no other individuals should send coals to the London market?—No, we had no assurance of that kind.

1788. In what way had you any guarantee which should give you the right now to oppose others?—I think we are placed precisely in the situation of a set of farmers, who in one parish have tolls to pay for carrying their corn to market, while those in the adjoining parish are allowed by an Act of Parliament to pass toll-free.

1789. Does it not often happen there are farmers who carry their corn to market without paying a toll, while others have toll to pay?—No doubt.

1790. Do you think it would be fair in one class of farmers, because they paid a heavy tollage for carrying their produce to market, to come to Parliament and

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object to another class of farmers being allowed to go another road, because there was a light tollage?—I think it would be competent to the farmer to go to Parliament and say he was not fairly treated, and pray to be relieved from that heavy toll, as I think the Legislature ought to protect equally all classes of individuals.

1791. Does not your reasoning lead to this, that Parliament ought to inquire into the prices and charges on every article that is to come to market?—No; but on the principles on which that article is to come to market. Government should not inquire into the individual article, but should have reference to the general principle of legislation by which that article is sent to market.

1792. Do you really think, because a certain amount of money has been laid out on collieries, and imprudent bargains have been made with landowners to pay heavy charges, by a certain number of individuals on the Tyne and Wear, that no other individuals, south of those, ought to be allowed to have a cheaper way, if they could make it, to supply coal?—I would allow them, if they could get it on the same principle as we do; but I cannot admit the fairness of legislative interference, to give such a preference as is sought for.

1793. During every period of the open trade, has not the consumer had his coals cheaper?—Yes, but that could not be permanent.

1794. Has not the coal-owner been obliged to sell cheaper during that period?—Yes, and many times he has been obliged to sell at a loss.

1795. If that continued, must he shut up his coal pits?—Yes, and the trade, in my opinion, would in that case very soon become a complete monopoly; and, indeed, I know it to have been the plan of some opulent individuals and companies to bring about that state of things, in order that they might create a grand monopoly in the coal trade.

1796. Do you think a fighting trade would end in a monopoly?—I do; and I think it would be dangerous, because if small individual proprietors were ruined and put down, the probability is, that the trade might become a monopoly.

1797. Are you aware whether in the supply of any other article of the first necessity, corn, or anything of that description, any such regulation or any such union exists?—There is not in corn; but I should think there is in other articles.

1798. State any one article?—The iron trade is completely so.

1799. Is there any instance of an opposition which has been made by the proprietors of iron mines, to iron being worked in any other parts of the country?—We do not oppose coal coming from any part; if they choose they may bring it from Cape Breton.

1800. But in any part of England do the iron-masters oppose the opening of any new iron mine?—No; neither do the coal-owners in any part of the kingdom; but I consider that the counties of Durham and Northumberland are peculiarly circumstanced.

1801. Do you mean, because they have now the produce raised in the north, that you think they have the right to prevent the produce being raised in the south at a cheaper rate. I now speak of the north part of Durham as compared with the south?—No; we cannot interfere with it; as, for instance, Mr. Rippon takes his coal down by the Stanhope-line, which pays for way-leaves, and we have not a word to say against him, because he is proceeding on what we consider to be the legitimate principle; and if for this field of coal, which it is now intended to be opened out in the neighbourhood of Dufold, Crook and Willington, they take way-leaves and join any other railway, we should not have a word to say against it.

1802. Do you mean, by "the legitimate principle," that expensive principle of way-leave which you have on the Tyne and Wear?—Yes.

1803. Mr. *Pease.*] Do you mean the difference of a voluntary bargain as compared with Parliamentary coercion?—I do, exactly.

1804. And you apply that to the case of the South Durham, as forcing other coals through the estates of coal-owners to their destruction?—Yes; and I most particularly apply it to the Marquis of Londonderry's case, which, with all deference, I must say I think is most unjust.

1805. What is his case?—He possesses an estate upon the line of the South Durham Railway, through which they must pass about a mile and a quarter. The South Durham line runs from Frosterley down by Willington, and comes down to join the Wingate branch of the Hartlepool. Lord Londonderry's estate lies near the eastern end of the line, where it joins the Wingate branch of the Hartlepool lines. Lord Londonderry is possessed of very large collieries to the northward of that spot. Seaham is his property, and is the harbour from whence he ships the greater

greater part of his coals, and the remainder from Sunderland; for all this he pays way-leaves. This company come to Parliament, and they seek to coerce Lord Londonderry to allow them to pass through his estate at Kelloe to come to market with the same article in which he deals on better terms than he can, and I certainly hold this to be a great hardship.

1806. Does not the Act compel the promoters to pay him the value of his property interfered with?—Yes, the value of the property; but that is no compensation: what is the value of the land at seven acres to a mile for the railroad, (there would be perhaps 10 acres of Lord Londonderry's property taken for the railroad), what is the comparative value of that land through which the line would run, compared with the injury this would inflict on his trade generally? If, for instance (as no doubt would be the case), the regulation was done away with for a single twelvemonth, the South Durham coals must be sent to a loss, if sent at all; in that case the loss to Lord Londonderry in a month or two would be more than all the money he would receive for compensation.

1807. How does the loss arise; is it from the injury which the supply coming from that line of railway would do him, by coming in competition with his own coal?—There would be in all probability, a great and sudden reduction in the price of coals for the moment; but what would be the ultimate consequence? It is quite clear that people would not continue to go on supplying the public at a loss; they must then come up to remunerative prices again, and after all that injury was inflicted on an individual, the trade would just come back again to the point where it is at present.

1808. How long has that estate been in the possession of Lord Londonderry?—It is an old family estate.

1809. Mr. *Pease.*] Lord Londonderry would only get money for land, and he would give land for the money?—Yes.

1810. Mr. *Lambton.*] Are we to understand whether there be a regulation or not, if the South Durham Railway is made, that the London consumer will get his coal at all cheaper permanently?—Certainly, not permanently; because I apprehend if prices were to be run down to half what they are now, it must tend to the ruin of many small collieries, or create a suspension of a great many of them; and after all, things must come up again to a price that will pay the producers.

1811. Is it your opinion that if this Railway Bill passes, that the coal-owners who propose to send their coal down the South Durham Railway will, in a very short time, propose to join the regulation?—I have no doubt of it; because all my experience, and the history of the trade for more than a century has shown that always to have been the result.

1812. Mr. *Pease.*] Are some of the principal promoters of that South Durham Railroad already members of the regulation?—Yes.

1813. The *Chairman.*] You speak from experience, that in all probability if the line is established, the promoters would soon join the regulation?—Yes.

1814. Is not that because it would be more advantageous to them?—Yes, for no other reason but that it will be for their own interest.

1815. Do you expect, if the South Durham Line is established, there would be any considerable supply of coal brought down to Hartlepool?—It would depend on the price. I think there naturally would, unless prices fell so as to shut them out, which would be very likely.

1816. Is there any other property of Lord Londonderry's on the line of the South Durham?—Not any but the estate I have mentioned.

1817. You think it extremely injurious to Lord Londonderry that this railroad should be allowed to go through his ground to carry coals to Hartlepool, which may come in competition with his coals shipped at Seaham?—I think it is extremely hard he should be compelled to become a party to his own great injury.

1818. He being paid for the value of the surface?—But that is no compensation to him. When I stated the case, I alluded to the payment of 1 *l.* per yard per annum for the conveyance of coal, which is paid by Lord Londonderry himself. I should think it an extremely hard case, indeed, that he should be compelled to sell an accommodation to any party for such a privilege.

1819. Would not the principle on which you give an opinion, if carried through, go against the introduction of all improvement?—I think not.

1820. Would it not be the interest of every man having a bad machine, to prevent the introduction of a new and better machine, least it should manufacture cheaper?—I think not; I have a way-leave through my own property, and it is

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by far the best crop that grows on that ground; it is a matter of mutual interest; unless it happens to fall in the way of some peculiar locality, scarcely any gentleman will refuse to treat for a way-leave through his property.

1821. Have you not stated, that by the present existing system on the Tyne and Wear, there is a very considerable increased expense, owing to the existence of way-leaves on most of the lines?—Yes.

1822. Have you not admitted that these new lines, as proposed to Parliament, were to be without way-leaves, and that consequently the conveyance would be cheaper from the pit's mouth to the sea if way-leaves were not established?—Yes, probably it might.

1823. Is not the ground of your objection to these new railroads simply this, that they could carry their coals to market cheaper than the old collieries having way-leaves there established?—They might carry them cheaper; but still there are many of those collieries which have to pay way-leaves, would compete with them, though the profit would be exceedingly reduced.

1824. Mr. *Pease.*] Would it not materially lower the price of coal to the consumer, if the Legislature were to pass an Act, stating every nobleman and gentleman should allow coals to go through his estate free?—Yes, I think it would.

1825. That would cause a great reduction in the price?—Yes. In continuation of what I was observing on the hardship to individuals, especially to Lord Londonderry, I should wish to say that I think nothing but the most palpable, great and important public advantage can justify such an act as compelling Lord Londonderry to make himself a party to his own serious injury.

1826. *Chairman.*] Is it harder on Lord Londonderry than any other individual that he should be obliged to give a way for a railroad, abstracted from his being a coal-owner?—I think it is, as applied to that estate. This railway cuts through 17 closes, and through a dean which Lord Londonderry has planted and ornamented; and I think, as a matter of feeling, setting aside his being a coal-owner, it is a most cruel case.

1827. You have stated the immediate effect of breaking the regulation of the vend has been to decrease the price of coals, but that in the long run you think the public would not benefit; is that your decided opinion?—That is my decided opinion.

1828. On what grounds do you form that opinion?—Because I think it might extinguish individuals of moderate capital who are now in the trade, and who can go on at the present rate; but that by carrying on a fighting trade to a loss, individuals of a moderate capital could not possibly continue to carry it on for any length of time.

1829. Do you mean individuals of moderate capital, or do you mean the most expensive collieries coming in competition with the cheaper-worked collieries would be shut up?—It happens that many of those collieries that are dear-working collieries, comparatively with the selling price of coals, are in the hands of individuals of moderate capital, and therefore they would first go to wreck.

1830. Is it the amount of capital that is the criterion?—It is comparatively so.

1831. It is not being brought to sea at a greater expense that forms the test?—The dearest-worked colliery of course must be first closed, though perhaps not if they were in the hands of opulent individuals.

1832. Mr. *Lambton.*] Some of the dearest-worked collieries have the finest coal, have they not?—Some have.

1833. Mr. *Pease.*] Supposing a way-leave were taken for ten miles, at 300 *l.* a mile, and the option was given of paying 10,000 *l.* for the fee-simple of the land of those ten miles, there would be a considerable saving in the rates necessarily charged as a remuneration?—Certainly; a purchase would always be preferable to the annual rent, inasmuch as I have known sometimes the rate of 1,700 *l.* per mile per annum paid for way-leave on the Wear, and even higher on the Tyne in some instances.

1834. It has been stated 400 *l.* per mile way-leave has been paid by the Stanhope and Tyne, which is a railroad for an unlimited quantity of coal and lime?—Yes, it has been so stated, I believe.

1835. Supposing 300 *l.* was charged on the South Durham line for 120,000 chaldrons, or 300,000 tons, the interest of 10,000 *l.*, 500 *l.*, being deducted from 3,000 *l.* a year way-leave, would leave 2,500 *l.* per annum; what additional charge would that be per ton?—That would require calculation.

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1836. If it was between 1 ½ *d.* and 2 *d.* a ton, the minimum change in price on the coal exchange being 3 *d.*, could the coal-owner be expected to sell lower, or the public expect to purchase cheaper?—Certainly not.

1837. *Chairman.*] You have stated the coal-owners determined to oppose these Durham railroads?—Yes, the principle.

1838. Were you one of the deputation sent for this purpose?—I was not sent by the coal-owners at all; I was employed as an engineer to examine the line by the land-owners, and I came up to attend the Committee on that account.

Jovis, 23° die Junii, 1836.

MEMBERS PRESENT.

Mr. Hume.	Mr. Lambton.
Mr. Hector.	Mr. Edward Curteis.
Mr. Wakley.	Mr. Ingham.
Mr. Bell.	Mr. William Crawford.
Mr. Pease.	Mr. Wason.

MR. HUME, IN THE CHAIR.

Mr. *James Pearsall,* called in; and Examined.

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1839. *Chairman.*] WHAT situation do you hold?—I am clerk and registrar of the Coal-market.

1840. How long have you been there?—I have been there since November 1823. I was then junior clerk of the Coal-market, and I am now clerk and registrar, since the commencement of the present Act of Parliament, the 1st of January 1832.

1841. Who appointed you to that situation?—The corporation of the city of London.

1842. Have they authority to do that under the last Act?—Yes, they have.

1843. Will you state what the nature of your duties are?—To receive the fitter's certificate of every ship laden with coals entering the port of London from the master or agent, with a short particular filled up as per form agreed upon by the worshipful committee of control over the coal and corn-meters, to examine the same, and certify to the clerk and collector the quantity of tons upon which the city and other dues are to be paid, and which when paid, a certificate of the same, signed by the collector, to be delivered to the registrar, who is then to give a permit to unload: To register the fitter's certificates in a register-book agreeably to the Act of Parliament, with number, name of the ship, name of the master, the port from whence she came, the date of certificate, the quantity of tons on board, the quality of the coal, the price paid, the duties paid, either on composition or certificate, the date of entry at the office, the fitter's name, and the factor or agent's name; this book to be open to the inspection of the public, who are authorized to examine and take extracts from the same daily: To enter in a separate register, all certificates which are transmitted through the General Post-office for the convenience of the factors or agents when making their claims on the arrival of the ship: To register the returns of the collector, of all ships upon which he has received the duties, and to make up the account monthly for the inspection of the committee: To receive from the coast-office at the Custom-house daily, a return of all ships laden with coal, entered at that office, and to compare the same with what has been entered in the office of the registrar: To receive every three months, from every fitter of coals, a return, on affidavit, of all ships which have been loaded from their respective collieries for the port of London; to examine the same with the certificates, and if found incorrect to write for explanation: To examine daily, by permission of the coal weighers' committee of factors and buyers, the delivery of every ship which is cleared by that establishment, in order to ascertain the correctness of the quantity certified in the fitter's certificate upon which the duties have been paid, and to lay before the committee monthly a comparative statement of the quantity certified and paid upon, with the quantity actually delivered: To register all certificates of composition sent by the town-clerk: To arrange a classification of the various sorts of coals which are brought into the port of London: To lay before the committee monthly, an account of every ship for which he has received

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received a fitter's certificate, and which has not paid the duty, stating the reasons why such duties have not been paid, and to render a general account of all the ships entered in the office during the month, thereby affording a check upon the account of the collectors; and to perform all duties relative to the said office for carrying into effect the provisions of the Act of Parliament, which the committee may at all times require. Office open from 10 till 3 o'clock daily.

1844. It appears by the third clause of the 1st and 2d of William the 4th, c. 76, the corporation of the city of London continue to have charge of the Coal Exchange, and that that Coal Exchange shall be an open market, and that they have power to appoint the respective officers. Is it in respect of that office you are appointed? —It is.

1845. Was there a new appointment made in consequence of the passing of the Act?—There was.

1846. And you were the officer appointed?—Yes. The common council proceeded on that appointment [*handing in the appointment*]—*see* Appendix (K).

1847. This paper purports to be a report from the coal and corn committee, dated 16th December 1831, to the court of common council, recommending to the right honourable the lord mayor, aldermen and commons of the city of London, certain regulations respecting the coal-meters?—Yes; it is for regulating the market.

1848. Were you appointed agreeable to this recommendation?—Yes, I was, as clerk and registrar.

1849. What establishment have you?—I have two assistants; I am allowed 650 *l.* a year, and I have to pay all expenses for assistants.

1850. Who pays you that money?—The corporation.

1851. That includes the whole expense of your office?—Yes.

1852. Have you apartments in the Coal Exchange?—None.

1853. Where do you reside then?—Pentonville.

1854. Are there no apartments allowed you by the corporation, for the conduct of your business?—None, whatever; the beadle is the only person who resides there.

1855. Is there any other establishment maintained conformable to the Act, the 1 & 2 Will. IV., for regulating and attending to the coal market, beside what you have now stated?—There is a collector, Mr. William Drummer, who is the collector of the dues; the certificates come first into my office; I then give an order to Mr. Drummer to receive upon the ships there entered.

1856. What certificates do you allude to?—The factors bring into my office the fitters' certificates, (with a particular filled up,) those sent from the shipping port, and from that document I authorize the collector to receive the dues.

1857. Do you generally adopt the fitter's certificate as the rule for your charge?—Always.

1858. You have never found any variation?—There are variations; sometimes some ships make out more, and that I ascertain from the Coal-weighers' Society; some make out less; but on the average the difference is very trifling.

1859. What does the collector receive?—£. 650 a year, and he has to find his own assistants.

1860. And are these two officers all that are appointed by the city?—With the exception of the beadle.

1861. You have made mention of the Coal-weigher's Society; did that society exist when you first became acquainted with the department?—No, because under the Act of 47 Geo. 3, all the coal-meters' business was then in the hands of the corporation, and abolished by the present Act.

1862. State what the arrangements of the office and market were before the passing of that Bill; what steps you took to declare the ships for sale, and how the purchasers became acquainted with the quantity in the market?—When the factors brought into the office of the clerks of the market the copies of the fitters' certificate, (at that time the original certificate was lodged at the Cocket-office, and we had a copy of that certificate,) our duty was to take a copy from that paper, and immediately put them on boards round the market to give publicity; which certificate stated the quality of the coal, the quantity, the factors to whom that shipment was consigned.

1863. Was that as to every ship as soon as it arrived in the river?—Yes; this took place at one o'clock; sometimes ships would arrive between twelve and one; the papers were put up as soon as they could be copied. The factors had then to

sell

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sell until two o'clock from the time the papers were put up, and until three o'clock they were allowed to make up their accounts and give in the returns to the clerks'-office. The turn-paper which the buyers sent, in order to have the proper turn for clearing the ship, were delivered into the Meters'-office.

1864. Were any returns then made up of the total quantity arriving every day at the market, and if so, to whom were they delivered?—We made up the returns from the contracts delivered in the office, and we published those returns every market night, with the quantity of coals at market, the quantity sold, and the remaining quantity unsold.

1865. Have you any form of that account with you?—I have now one, which shows the manner in which it was done.

[*The Witness handed in the same, which is as follows:*]

Coal Market, Friday, 18 February 1831.

Ships at Market.	QUALITY.	Ships Sold.	PRICE.	Ships at Market.	QUALITY.	Ships Sold.	PRICE.
	NEWCASTLE.				SUNDERLAND.		
	Adair's				Eden Main		
¼	Beaumont	¼	31–6	2¼	Lambton Primrose	¼	33
	Bensham				Russell's Lyons Main		
	Dean's Primrose			2	Wallsend Hetton	2	34–9
	East Percy			1	Wallsend Lambton		
	Hebburn			2	Wallsend Lyons		
	Holywell			1	Wallsend Simpson		
	Kenton West			1	Wallsend Stewart's		
1	Killingworth			1	W. E. Russell's Hetton		
	Liddell's						
	Newburn				STOCKTON.		
¼	Ord's Redheugh	¼	28–6	1	Butter Knowl Main		
	Pelaw				Wallsend Adelaide		
	Pelaw unscreened			1	Wallsend Cleveland	1	29
	Percy Bensham				W. E. Etherley unscreened		
	Pontop Windsor				Wallsend Tees		
	South Holywell						
½	Tanfield	¼	34		BLYTH, SCOTCH, WELSH AND YORKSHIRE.		
	Townley				Barnsley New		
	West Hartley				Blyth		
2	Willington	¼	31–3		Cannell		
	Wylam				Castle Main		
1	W. E. Bell & Brown	1	31–9	¾	Culm	¼	33
2	W. E. Bell, Robson & Co.			¾	Culm Owen		
1	Wallsend Bewick & Co.				Halbeath	¼	27
	Wallsend Boundary			¼	Hartley		
1	Wallsend Brown's	1	31	1	Landshipping		
	W. E. Brown's, unscreened				Llangennech Coal		
1	Wallsend Burraton				Llangennech Pemberton		
	Wallsend Callerton				New Flockton, Milne & Co.		
	Wallsend Carr & Co.			3	Silkstone		
	Wallsend Clark & Co.			1	Stone Coal Cox, reshipped	½	30
1	Wallsend Cramlington				Warde's Llanelly		
2¾	Wallsend Gosforth	¾	33–3 24	1¾	Wallsend Haverland	½	24
2	Wallsend Heaton	1¼	33	1	Welsh		
	Wallsend Hilda						
	Wallsend Hotspur				TRADERS.		
	Wallsend Monkseaton				Beaumont		
1	Wallsend Newmarch				Cowpen		
	Wallsend Northumberland				Tanfield		
1	Wallsend Peareth						
	Wallsend Perkins				SMALL COAL.		
	Wallsend Riddell's				Callerton		
¼	Wallsend Russell's	¼	33		Old Etherley		
¼	Wallsend Walker	¼	33				

40 Ships at market.
10¼ Ships sold.

29¾ Unsold.

J. Butcher,
B. Wood,
J. Pearsall,
} Clerks of the Market.

1865*. This Account, number 21, of the 18 February 1831, the coal-market, signed by John Butcher, B. Wood and James Pearsall, clerks of the market, purports to give a list of the number of ships at the market, the quality, the number of ships sold, and the price at which sold; it also purports to give at the bottom,

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bottom, 40 ships at market; 10¼ sold, 29¾ unsold: was that the form adopted until the 1 & 2 Will. IV. passed?—Yes, it was.

1866. Did that account show to every buyer the whole amount every day arrived in the river, sold and unsold?—Yes, it did.

1867. Did you keep any annual or quarterly account of the total amount received?—Yes; a monthly and annual account of the importation of coal.

1868. Which, with the daily account, of which you have given a form, afforded a complete account of the quantity of coals, and the state of the market?—Yes.

1869. State whether any and what change took place on the passing of that Act?—The change took place, as far as regards my own office, that we merely received the fitters' certificate from the factors, with a paper so filled up as to show the name of the ship and the quantity of tons that she has on board, the master, and the port from which she came, the date of the certificate and the number of tons she had on board; that paper the factor afterwards takes to the collector, and that is his authority for receiving the dues on those ships; on receiving a duplicate from him acknowledging that he had received the dues, I then give a discharge for the ship, which is an authority for the captain to break bulk, the duties having been paid.

[*The Witness handed in the Fitter's Certificate, the Order upon the Collector to receive the Dues, and the Discharge Note to authorize the discharge of the Ship, and which are as follow:*]

For the Clerk of the Coal Market.

Custom House, Sunderland, 5 February 1836.

I have shipped on board the Preston, of this port, John Arnot, master, 307 tons 8 cwt. of the trustees of the Most honourable the Marquis of Londonderry's Eden Main coals, per drop, at 9*s.* 3*d.* per ton.

903

For *H. Tanner, Self & R. Scurfield.*

Smith & Co.

Wm. Beckwith, Collector.

No. 903.
Tons 307.

Office of Clerk and Registrar, Coal Market,
17 February 1836.

CERTIFICATE.

To Mr. John Arnott, master of the ship Preston, from Sunderland—You are hereby permitted to unload your cargo of coals, culm or cinders, the duties upon the same having been paid.

J. Pearsall, Clerk and Registrar.

Factors or Agents for the Ship, Smith & Co.

To the Clerk and Collector of the Coal Market.

Office of Clerk and Registrar, Coal Market,
17 February 1836.

THE FITTER'S CETIFICATES of the under-mentioned Ships having been delivered into this Office, receive the City and other Dues, payable under the Act of Parliament 1 & 2 Will. IV. c. 76, on the same.

Number.	SHIP.	MASTER.	PORT.	DATE.	TONS.
903	Preston - -	John Arnott -	Sunderland -	5 February	307

J. Pearsall, Clerk and Registrar.

Factors or Agents, Smith, Scurfield & Co.

To the Clerk and Registrar of the Coal Market.

Office of Clerk and Collector, Coal Market,
17 February 1836.

These are to certify that the City and other Dues payable under the Act of Parliament 1 & 2 Will. IV. c. 76, of One Shilling and One Penny per Ton upon the under-mentioned Ships have been paid.

Number.	SHIP.	MASTER.	PORT.	DATE.	TONS.
903	Preston - -	John Arnott -	Sunderland -	5 February	307

Wm. Drummer,
Clerk and Collector.

Factors or Agents, Smith, Scurfield & Co.

☞ To be returned by the Factor or Agent to the Clerk and Registrar on payment of the duties, who will give a permit to unload

Mr. *James Pearsall.*

23 June 1836.

1870. Do you deliver that to the factor who brings the receipt?—Yes, there being a penalty for breaking bulk before the duties are paid.

1871. What are the fees you receive?—I receive no fees now. The total dues of the City amount to 13*d.* per ton, that is 8*d.* for the orphan fund, 4*d.* for the prescriptive metage, and 1*d.* the market dues.

1872. State what further is done?—I examine the weigher's account, so as to see if any ships have broken bulk before the duties are paid.

1873. Is it your additional duty to ascertain how far the coals have turned out agreeable to the certificate sent, and whether they have attended strictly to the regulation of not breaking bulk until the certificate is produced?—Exactly so; but that is not ordered by the Act of Parliament.

1874. Do you publish now in any way the number of ships and quantity of coals arriving in the port of London?—No other than a monthly account. I do not publish any market list of prices in the same way as I used under the old Act.

1875. Do you publish any daily account of arrivals?—Not at all.

1876. Do you publish a monthly account?—A monthly account of the importation, of the quantity and quality.

[*The Witness delivered in the following Statement:*]

MONTHLY IMPORTATION OF COAL, CULM AND CINDERS, MAY 1836.

No. 113.—COAL-MARKET.

Ships Arrived.	QUALITY.	As per Fitters' Certificate.
	NEWCASTLE.	*Tons.*
6	Adair's Main	2,184
10	Bensham	1,554
1	Bishop	113
2	Bradley	551
6	Burdon	2,141
1	Bute's Tanfield Moor	296
4	Carr & Co.'s Hartley	1,007
2	Charlotte Main	630
2	Chester Main	826
7	Dean's Primrose	2,135
6	Ellison Main	1,279
8	Felling	2,074
1	Garesfield	360
5	Hebburn Main	1,185
10	Holywell	3,435
2	Howard Main	710
5	Leaze's Main	1,697
1	Medomsley	222
1	Mixed	20
1	Newburn Main	424
1	Old Walker	227
8	Orde's Redheugh	3,252
7	Pelaw Main	2,128
2	Picton	614
5	Pontop Windsor	1,427
1	Pontop Windsor, Stanhope and Tyne Company.	296
4	Russell's High Main	1,333
2	Shipcote	508
2	South Hartley	858
1	Splint	212
4	Stormont Main	1,006
8	Tanfield	2,944
5	Townley Glebe	1,755
8	West Hartley	2,726
5	Willington	1,632
5	Wylam	2,277
2	W. E. Bell's and Brown's	648
10	Bewick & Co.	3,274
6	Brown's	2,035
5	Carr & Co.	1,373
4	Clark & Co.	1,391
13	Gosforth	4,452
1	Greenwell's	177
7	Heaton	2,261
291		
	SUNDERLAND.	
2	Beamish South Moor	304
2	Bell's Primrose	629
1	Lambton Primrose	230
–	Moorsley Main	124
23	W. E. Braddyll's Hetton	6,732
12	Haswell	3,547
49	Hetton	14,169
44	Lambton	12,081
8	Pemberton & Co.'s	2,069
12	Russell's Hetton	3,605
4	Russell's Lyons	1,070
18	Stewart's	5,306
23	Stewart's Seaham	6,518
198		56,384
	STOCKTON.	
6	Butterknowle Main	1,510
1	Gordon W. E. Nut	84
7	W. E. Adelaide	1,725
10	Gordon	2,083
3	Hartlepool	867
2	Lands	416
2	New Tees	501
7	St. Helen's	1,560
13	South Durham	3,976
24	Tees	5,283
3	Victorias	665
9	West Hetton	2,452
87		21,122

(*continued.*)

Mr. *James Pearsall.*

23 June 1836.

Ships Arrived.	QUALITY.	As per Fitters' Certificate.
	BLYTH.	*Tons.*
1	Blyth Main - - -	74
12	Cowpen - - -	2,261
8	Hartley - - -	2,631
8	Netherton Main - -	1,803
29		6,769
	SCOTCH.	
4	Newbottle - - -	267
3	Scotch - - - -	180
6	W. E. Elgin - - -	1,170
2	Henderson - -	646
15		2,263
	WELSH.	
3	Graigola - - -	795
1	Kilgetty - - -	325
6	Llangennech - - -	1,840
1	Stone - - - -	240
1	Welsh - - - -	10
12		3,210

Ships Arrived.	QUALITY.	As per Fitters' Certificate.
	YORKSHIRE, &c.	*Tons.*
1	Barnsley - - -	180
1	Low Laith - - -	109
1	Manston Low Main -	56
1	Silkstone - - -	108
2	South Elgin - - -	217
2	Stanley Main - -	198
7	W. E. Devonshire - -	512
15		1,380
	RECAPITULATION.	
291	Newcastle - - -	92,156
198	Sunderland - - -	56,384
87	Stockton - - -	21,122
29	Blyth - - - -	6,769
15	Scotch - - - -	2,263
12	Welsh - - - -	3,210
15	Yorkshire - - -	1,380
–	Small Coal - - -	–
–	Culm - - - -	–
–	Cinders - - - -	–
647	Total - - -	183,284

Imported in May 1835: Coal, culm and cinders, 178,751 tons.

Importation from 1st January 1836 to the present time, as compared with the corresponding period last year, over 30,641 tons.

Coal Market London, 1 June 1836.

James Pearsall, Clerk and Registrar.

1877. This purports to be a Return No. 113 from the Coal-market, of the monthly importation of coal, culm and cinders, during the month of May 1836, into the port of London; by this there appears an aggregate of 647 ships arrived, but there is no certificate of the quantity sold?—I will explain it; the quantity arrived in that month is 647 ships, a total of 183,284 tons.

1878. How many appear to have been sold in that month?—I have no means of knowing that, not having any returns under the present Act.

1879. You have stated you received accounts of the delivery of coals; how do you ascertain the quantity delivered from each vessel?—It is by permission of the Society of Weighers; I ascertain from their documents the delivery of each vessel, and comparing that account with the certificate account, I ascertain whether that ship has made out more or less than what she ought to make out.

1880. What do you mean by permission; have you not a right to do that?—Not at all; it is a matter of courtesy on the part of those gentlemen.

1881. What are you strictly required by the Corporation to do?—To receive the fitters' certificates; to see that they are correct as to quality and quantity; to give orders to the collector to receive upon those certificates, and to keep a complete check on his accounts; to receive from the Custom-house daily the return of all ships entered there, and to receive from the North or different ports of shipment quarterly returns of all ships laden with coal destined to the port of London.

1882. Have you a copy of that quarterly return?—I have.

1883. On what authority is that return made?—By Act of Parliament.

[*The Witness handed in four Quarterly Returns, which are as follow:*]

Mr. *James Pearsall.*

23 June 1836.

Joseph Taylor, of Middlesbro'-on-Tees, maketh affirmation and saith, that the Schedule hereunder written, and signed by this deponent, contains to the best of his knowledge and belief a true account of all coals vended and shipped by this deponent for delivery in the Port of London, from the 1st day of October to the 30th day of December 1835, both inclusive.

(signed) *Joseph Taylor.*

Affirmed before me, 3d March 1836,
W. Skinner, jun., Magistrate for the County of Durham.

Day of Shipment.	SHIP'S NAME.	MASTER'S NAME.	Number of Tons.	NAME of COLLIERIES.	Price per Chaldron. s.	d.	Certificate delivered to the Master, or sent by Post.
1835:							
10 Mo. 1	Anchor -	R. Branham -	180	South Durham	12	3	to the master.
— —	Kitty - -	N. Rippon -	225	Adelaide's -	—	—	- ditto.
— 2	Jane - -	E. Devey -	246	South Durham	—	—	- ditto.
— 5	Ringdove -	Z. Gardin -	8	- ditto -	—	—	- ditto.
			151	Adelaide's -			
— —	Rhoda - -	J. Calvert -	186	St. Helen's -	13	3	- ditto.
— 6	Anna - -	J. Cook -	180	South Durham	12	—	- ditto
— 7	Wellington -	T. Harland -	305	Adelaide's -	12	3	- ditto.
— —	Ann - -	Wm. Watson	212	St. Helen's -	13	3	- ditto.
— —	Princess Victoria	J. Moody -	124	South Durham	12	3	- ditto.
— 9	Barrington -	G. Smith -	310	- ditto -	—	—	- ditto.
— 10	Goldfinch -	J. Parker -	345	- ditto -	—	—	- ditto.
— 13	Jane Kay -	G. F. Richmond	339	- ditto -	—	—	- ditto.
— 14	Abbotsford -	Wm. Nesfield	270	St. Helen's -	13	3	- ditto.
— 19	Streatham Castle	J. Gales -	5	- ditto -	12	3	- ditto.
			355	South Durham			
— 20	Emery - -	G. Husband -	220	St. Helen's -	13	3	- ditto.
— —	Friends -	T. Brown -	220	Adelaide's -	12	3	- ditto.
— 21	Archimedes -	J. Calvert -	196	South Durham	12	3	- ditto.
— 22	Middlesbro' -	W. Renoldson	320	- ditto -	—	—	- ditto.
— —	Providence -	T. Day -	15	- ditto -	—	—	- ditto.
			263	Adelaide's -			
— 24	Ranger -	J. Wood -	220	- ditto -	—	—	- ditto.
— —	Sylvanus -	J. Green -	220	St. Helen's -	13	3	- ditto.
— —	Commercial -	T. Foxton -	233	South Durham	12	3	- ditto.
— 26	Wandering Shepherd -	B. Dorvell -	334	- ditto -	—	—	- ditto.
— 28	Celerity -	M. Todd -	220	St. Helen's -	13	3	- ditto.
— 29	Elizabeth -	W. Brewer -	249	Adelaide's -	12	3	- ditto.
— —	Stockton -	T. Brown -	318	South Durham	—	—	- ditto.
— 30	Henry - -	Wm. Clark -	196	- ditto -	12	9	- ditto.
— 31	Free Briton -	W. Bennett -	98	- ditto -	—	—	- ditto.
11 Mo. 4	Rhine - -	P. Spenceclough	345	- ditto -	—	—	- ditto.
— —	Rose - -	W. A. Race -	106	Adelaide's -	—	—	- ditto.
— —	Shakespeare -	J. Fawcus -	2	- ditto -	13	3	- ditto.
			228	St. Helen's -			
— 5	Collens -	J. Granger -	170	Adelaide's -	12	9	- ditto.
— 6	Willing Mind	D. Simpson -	191	- ditto -	—	—	- ditto.
			21	South Durham			
— —	York Packet -	T. Bowser -	140	- ditto -	—	—	- ditto.
— 9	Express -	J. Evans -	331	- ditto -	—	—	- ditto.
— —	Jane - -	E. Devey -	246	St. Helen's -	13	3	- ditto.
— 11	Ringdove -	Z. Gardin -	159	South Durham	12	9	- ditto.
— 12	Kitty - -	N. Rippon -	236	Adelaide's -	13	6	- ditto.
— 17	Robert and Margaret -	C. Hardy -	390	South Durham	—	—	- ditto.
— 21	Friends -	J. Brown -	220	Adelaide's -	—	—	- ditto.
— 23	Goldfinch -	J. Parker -	345	South Durham	—	—	- ditto.
— 24	Addison -	T. Brown -	350	- ditto -	—	—	- ditto.
— —	Sunniside -	J. Pattison -	310	St. Helen's -	—	—	- ditto.
— 25	Mary - -	Wm. Pallister	252	- ditto -	—	—	- ditto.
— 26	Archimedes -	J. Calvert -	198	- ditto -	—	—	- ditto.
— 27	Donnington -	J. Clark -	159	South Durham	—	—	- ditto.
— —	Industry -	Wm. Jeffers -	66	Adelaide's -	—	—	- ditto.
— 28	Emery - -	G. Husband -	220	- ditto -	—	—	- ditto.
— —	Spring - -	W. Todd -	220	St. Helen's -	—	—	- ditto.
— —	Providence -	T. Day -	278	South Durham	—	—	- ditto.
— —	Middlesbro' -	W. Rennoldson	320	- ditto -	—	—	- ditto.
— 30	Streatham Castle	J. Gales -	360	- ditto -	—	—	- ditto.
— —	Rose - -	Wm. A. Race	106	Adelaide's -	—	—	- ditto.
12 Mo. 1	Gale - -	Wm. Gale -	124	St. Helen's -	—	—	- ditto.
— 3	Ferret - -	M. Boyes -	114	- ditto -	—	—	- ditto.
— 4	Snowden -	W. Jones -	228	- ditto -	—	—	- ditto.
— —	Elizabeth -	W. Brewer -	249	Adelaide's -	—	—	- ditto.
— —	John - -	T. Perry -	328	South Durham	—	—	- ditto.

(continued.)

Mr. *James Pearsall.*

23 June 1836.

Day of Shipment.	SHIP'S NAME.	MASTER'S NAME.	Number of Tons.	NAME of COLLIERIES.	Price per Chaldron.	Certificate delivered to the Master, or sent by Post.
1835:					*s.* *d.*	
12 Mo. 5	Jane Kay -	G. F. Richmond	339	South Durham	13 6	to the master.
— 8	Sky Lark -	R. Meek -	106	Adelaide's -	13 3	- ditto.
— —	Rhine - -	R. Smith -	345	South Durham	— —	- ditto.
— —	Earl Strathmore	R. Huddon -	249	St. Helen's -	— —	- ditto.
— 9	Linnet - -	S. Adamson -	127	- ditto -	— —	- ditto.
— —	Jane - -	E. Devey -	246	Adelaide's -	— —	- ditto.
— 10	Dart - -	J. Wilson -	95	Musgrave's -	12 6	- ditto.
— 14	Jupiter - -	P. Newton -	220	South Durham	13 6	- ditto.
— 16	Brothers -	R. Mearns -	95	Adelaide's -	— —	- ditto.
— 18	Express -	J. Evans -	331	South Durham	— —	- ditto.
— —	Kitty - -	N. Rippon -	236	St. Helen's -	— —	- ditto.
— 19	Bell - -	E. Langley -	286	Adelaide's -	— —	- ditto.
— 29	James - -	R. Richards -	95	St. Helen's -	— —	- ditto.
— 30	The Richardson	J. Appleton -	286	South Durham	— —	- ditto.

The above are the prices at which the coals are sold; when sent to market on the colliery's account, the price depends upon the price obtained.

James Bryden, of Newcastle, maketh oath and saith, that the Schedule hereunder written, and signed by this deponent, contains a true account and particular of all the Coals vended and shipped by this deponent, for delivery in the Port of London, from the 30th day of June to the 31st day of December, both inclusive.

DATE of Certificate.	SHIP'S NAME.	MASTER'S NAME.	Quantity of Tons.	NAME of COLLIERY.	Certified Price.	Certificate sent by Post or by Master.
1835:					*s.* *d.*	
July - 1	Earl Grey -	J. Ruggles -	410 15	- - Sheriff-hill Colliery.	8 9	- post.
— 27	Success -	J. Graham -	371 —	- ditto -	— —	- ditto.
— 28	George & Jane	G. Grigs -	235 17	- ditto -	— —	- ditto.
August 24	- ditto -	G. Grigs -	241 3	- ditto -	— —	- ditto.
Sept. 19	Hudgill -	G. Henderson	212 —	- ditto -	— —	- ditto.
— 22	George & Jane	G. Grigs -	238 10	- ditto -	— —	- ditto.
Oct. 21	Hope - -	J. Wigham -	177 11	- ditto -	8 —	- ditto.
— 24	Success -	S. Graham -	373 13	- ditto -	8 9	- ditto.
— —	George & Jane	G. Grigs -	241 3	- ditto -	— —	- ditto.
— 30	Pilot - -	C. Pearson -	402 16	- ditto -	— —	- ditto.
Nov. 7	Anna - -	J. Hopper -	225 5	- ditto -	8 —	- ditto.
— 16	Allen - -	J. Joris -	106 —	- ditto -	8 9	- ditto.
Dec. 3	Mutual - -	C. Forster -	227 18	- ditto -	8 —	- ditto.
— —	Carron - -	W. Elliott -	402 16	- ditto -	8 9	- ditto.
— 8	Sarah - -	J. Richardson	172 5	- ditto -	— —	- ditto.

(signed) *James Bryden.*

Sworn before me the 7th day of January 1836,
J. Surtees, Justice of the Peace.

Stewart Shepherd, of Charlestown, maketh oath and saith, that the Schedule hereunder written, and signed by this deponent, contains a true account and particular of all the Coals vended and shipped by this deponent for delivery in the Port of London, from the 1st day of October to the 31st day of December 1835, both inclusive.

Day of the Month and Year of Lading.	SHIP'S NAME.	MASTER'S NAME.	Quantity of Tons.	NAME of COLLIERY.	Price paid per Ton.	Certificate, how sent.
1835:					*s.* *d.*	
Oct. - 9	James - -	Jas. Wilson -	318	Elgin Colliery	9 —	- delivered to the master.
— 24	Lavinia -	Wm. Blacket	250	- ditto -	— —	- ditto.
Nov. - 11	Euphemia -	John Millar -	216	- ditto -	— —	- ditto.
— 14	John & Catherine	Henry Ord -	138	- ditto -	— —	- ditto.
— 27	Arab - -	Robert Wood	140	- ditto -	— —	- ditto.
Dec. - 5	Glenora -	Henry Cousins	386	- ditto -	— —	- ditto.
— 19	Celerity -	R. O. Fairlam	384	- ditto -	— —	- ditto.

(signed) *Stewart Shepherd.*

William Bell, of Sunderland, declares that the Schedule hereunder written, and signed by him, contains a true account and particular of all the Coals vended and shipped by him for delivery in the Port of London, from the 1st day of October to the 31st of December 1835, both inclusive.

DATE.	SHIP'S NAME.	Where belongs.	MASTER'S NAME.	Quantity of Tons.	Name of Colliery.	Price paid.	Certificate, how sent.
1835:						*s.* *d.*	
October 9	Alston - -	Sunderland	S. Richardson	345	Bell's Primrose	20 6	given to master.
— 24	Eagle - -	- ditto -	Thos. Booth -	340	- ditto -	— —	- ditto.
— —	Langley -	- ditto -	Joseph Bell -	345	- ditto -	— —	- ditto.
— 28	Lamb - -	- ditto -	Matt. Lamb -	385	- ditto -	— —	- ditto.
November 5	Alston - -	- ditto -	S. Richardson	350	- ditto -	— —	- ditto.
— 6	Galena - -	- ditto -	S. Jeffrey -	315	- ditto -	— —	- ditto.
— 11	Amphitrite -	- ditto -	M. Potts -	235	- ditto -	— —	- ditto
— 23	Eagle - -	- ditto -	Thos. Booth -	340	- ditto -	— —	- ditto.
— 25	Alston - -	- ditto -	S. Richardson	350	- ditto -	— —	- ditto.
— 30	Gazelle -	- ditto -	S. Cole -	340	- ditto -	— —	- ditto.
December 3	Carlisle -	- ditto -	Henry Alcock	315	- ditto -	— —	- ditto.
— 4	Hunter -	- ditto -	R. Cornforth	265	- ditto -	— —	- ditto.
— 17	Echo - -	- ditto -	J. Sutherland	335	- ditto -	— —	- ditto.
— —	Willey - -	- ditto -	J. Harrison -	290	- ditto -	— —	- ditto.
— 24	Bridget -	- ditto -	J. Needham -	295	- ditto -	— —	- ditto.
— 28	Alston - -	- ditto -	S. Richardson	350	- ditto -	— —	- ditto.
— 31	Seaflower -	- ditto -	W. Wilson -	300	- ditto -	— —	- ditto.

(signed) *William Bell.*

Declared and subscribed before me at Sunderland, 7th Jan. 1836,
Ralph Carr, Justice of the Peace.

1884. Are there any bye-laws passed by the Court of Aldermen for regulating the coal market?—None.

1885. Are you aware the Act requires the Court of Aldermen to make such bye-laws?—It does.

1886. Do you know why they have not been made?—There has been no application made for any that I am aware of; there does not appear to have been any necessity.

1887. Is it not required by the Act that bye-laws should be enacted for the regulation of a market of which they have the exclusive management?—Yes; but those bye-laws must be in conformity with the spirit of the Act of Parliament, and that Act makes the market completely a free market; the Court of Aldermen cannot make bye-laws contravening that Act; they have no powers to make bye-laws to enforce any of the regulations of the preceding Act of 47 Geo. 3: all the machinery of the old Act is done away with.

1888. In the Act there is the following words: "To make bye-laws for regulating all officers to be employed in such market, and all other persons coming thereto, or transacting any business therein, as to the said Court of Lord Mayor and Aldermen shall seem just and reasonable; and also from time to time, as occasion shall require, to repeal and amend and alter such rules, orders and bye-laws; and also to fix and appoint certain reasonable penalties or forfeitures for the non-observance or non-performance or other breach of any such rule, order or bye-law." You are aware of that existing?—Yes.

1889. Nothing has ever been done on that?—No.

1890. Mr. *Pease.*] Has anything ever struck you in the management and arrangement of that trade in which the Court of Aldermen, by virtue of the powers contained in that Act, might beneficially interfere?—I am not aware that there has.

1891. *Chairman.*] Are you not aware that the factors have formed a committee for regulating the sale of coals in the market?—I believe they have.

1892. Did you ever hear of any necessity for the formation of that committee?—No, I never heard any particular reason assigned.

1893. Did you ever hear any complaint from the buyers or consumers of the necessity of any such regulation on the part of the factors?—I never heard any.

1894. Then if the joint committee of buyers and factors has been established, you are not aware of any ground or necessity for such office?—No further than this; that the opinion I gave in the year 1830 on the necessity of arrangement for the discharge of ships in the river is perfectly confirmed by subsequent practice of the necessity of an establishment of that sort. As to the idea of the trade being

Mr. *James Pearsall.*

23 June 1836.

being thrown open, as was proposed on that examination, and every buyer to send down his craft to the ship as he pleased, I think it would be perfectly impracticable; I think the establishment, so far as that course of proceeding, is perfectly correct, and valuable to the trade and public.

1895. Do you consider the making of these rules and regulations, if necessary, should be with the corporation, or with the factors and buyers themselves?—The corporation now have nothing to do with it; and if I may venture to give an opinion on that point, namely, the regulation of the ship-meters, I consider it better conducted in the hands of factors and buyers than the corporation, because the committee is composed of practical men.

1896. Have they reported to the corporation at any time that they had made such regulations and arrangement?—I am not aware that they ever reported; I have no doubt the corporation knew of the fact, because the premises which they hold are held under the corporation at the coal market.

1897. Mr. *Pease.*] Are you aware whether any of the factors on the Coal Exchange are in the situation of liverymen or common councilmen in the corporation?—Yes, there is one gentleman a common councilman, a Mr. Duke.

1898. Would that gentleman have it in his power to introduce to the Court of Common Council, and to the corporation, any proposition which he might conceive was necessary, in order to promote their interference for the good regulating of the trade?—If he found the duties of my office were not properly attended to according to the Act, by being connected with the corporation, and by being on the coal and corn committee, he would have an opportunity of reporting that; I am not aware of any other influence he would have in other respects.

1899. The question refers to your knowledge of there being a direct communication between the trade and the Court of Common Council?—If there was any necessity for the trade to refer any subject to the corporation, Mr. Duke, as being a member of the court, would be the gentleman they would apply to, unless they applied through me as the officer connected with the corporation.

1900. *Chairman.*] Could any stranger coming into the coal market know what quantity of coals were for sale in the London river by any documents in your possession?—He certainly would not know by the examination of the fitters' certificate-book, which I am bound to keep, and which is open for inspection daily, what coals are for that day's sale, because it has no connexion with the factors' arrangements.

1901. Could he ascertain it anywhere from any public document or public office, that you know of?—I do not know that he could, because the particulars of the ships' arrival are not put up on the market now by the factors so fully as they used to be under the old Act by the clerks of the market.

1902. Would he, by any document in the coal market, ascertain the number of vessels remaining unsold?—No public document.

1903. Mr. *Pease.*] Is it not in the power of any individual in possession of regular market lists to keep a running account, if he be a buyer, of the number of ships remaining unsold, the arrivals being always noted?—They could have done that under the old system, because by referring to that market list I have put in we give the quantity of ships at the market, and quantity sold, and the quantity unsold. That is not done at present by the gentleman who publishes the present market list, and the public do not know the quantity of any description of coals that remain unsold.

1904. Is it advertised in the newspaper, Ships arrived so and so?—It does not state the number of each quality.

1905. The question that was put was, whether there were any means of an individual ascertaining the gross number of ships remaining in the river unsold at a given day?—I am not aware of any.

1906. State what means are taken to advertise the public on the Coal Exchange, or the buyers, of the coals that are for sale.—By the factors putting upon the boards what ships they may offer for sale. The gentleman who publishes the list of sales receives, I presume, the accounts from the factors; there are no other legitimate means he could possibly have.

[*The Witness was shown the list signed George Biggs.*]

1907. Is there any advertisement pasted on the walls of the Coal Exchange of ships on sale on any given market-day?—Not particularly; merely the name of

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of the factor to apply to for such coal, without stating whether there is one ship, or five or ten ships.

1908. There are tickets placed on the wall of coals of a certain quality for sale on that day, with reference to the factor having the sale of those coals?—I believe there is, but not the particular quantities for sale.

1909. *Chairman.*] Do you, in fact, publish any daily account similar to what you did before the 1 & 2 Will. IV.?—No.

1910. When you were before the Committee in 1830, you delivered in a statement of the quantity of coals imported into the port of London in each of the previous five years, distinguishing each sort; can you now give an account, in a similar form, of the importation since 1830, to contain the same form of accounts?—I can.

[*The Witness handed in the same, which are as follows:*]

A Comparative Statement of the Quantity of Coals Imported into the Port of *London* from the Ports of *Newcastle, Sunderland, Stockton, Blyth, Scotland, Wales* and *Yorkshire*, from the Year 1828 to the Year 1835, both inclusive.

From the Port of Newcastle.

	Ships.	*Chaldrons.*		*Tons.*	*Tons.*
1828	3,956	987,787	equal to	1,259,429	
1829	4,166	1,019,213	—	1,299,497	5,178,255
1830	4,268	1,072,531	—	1,367,478	
1831	3,845	981,844	—	1,251,851	
1832	3,627	- - -	—	1,171,227	
1833	3,387	- - -	—	1,060,839	4,641,724
1834	3,625	- - -	—	1,142,903	
1835	3,900	- - -	—	1,266,755	

Decrease in the last four years, 536,531 tons.

From the Port of Sunderland.

	Ships.	*Chaldrons.*		*Tons.*	*Tons.*
1828	1,963	410,378	equal to	523,231	
1829	2,270	474,028	—	604,386	2,241,207
1830	2,065	433,220	—	552,356	
1831	2,041	440,183	—	561,234	
1832	2,145	- - -	—	600,217	
1833	2,369	- - -	—	666,787	2,455,663
1834	2,036	- - -	—	559,105	
1835	2,182	- - -	—	629,554	

Increase in the last four years, 214,456 tons.

From the Port of Stockton.

	Ships.	*Chaldrons.*		*Tons.*	*Tons.*
1828	100	15,253	equal to	19,448	
1829	48	3,060	—	3,902	110,413
1830	162	19,069	—	24,314	
1831	337	49,215	—	62,749	
1832	783	- - -	—	172,930	
1833	773	- - -	—	170,690	795,765
1834	1,007	- - -	—	221,971	
1835	966	- - -	—	230,174	

Increase in the last four years, 685,352 tons.

From the Ports of Blyth and Seaton Sluice.

	Ships.	*Chaldrons.*		*Tons.*	*Tons.*
1828	293	62,412	equal to	79,576	
1829	213	47,786	—	60,927	257,563
1830	210	44,866	—	57,204	
1831	223	46,950	—	59,861	
1832	190	- - -	—	48,938	
1833	178	- - -	—	48,689	226,941
1834	248	- - -	—	64,268	
1835	251	- - -	—	65,046	

Decrease in the last four years, 30,627 tons.

(*continued*)

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From INVERKEITHING, and other Ports in Scotland.

	Ships.	*Chaldrons.*		*Tons.*	*Tons.*
1828	97	17,054	equal to	21,745	
1829	46	7,157	—	9,125	89,321
1830	79	14,991	—	19,114	
1831	167	30,853	—	39,337	
1832	199	- - -	—	49,579	
1833	67	- - -	—	15,138	145,159
1834	176	- - -	—	39,487	
1835	249	- - -	—	40,955	

Increase in the last four years, 55,838 tons.

From SWANSEA, LLANELLY, and other Ports in Wales.

	Ships.	*Chaldrons.*		*Tons.*	*Tons.*
1828	194	28,921	equal to	36,875	
1829	128	19,612	—	25,005	26,799
1830	181	30,288	—	38,617	
1831	121	20,629	—	26,302	
1832	195	- - -	—	45,065	
1833	130	- - -	—	32,156	148,988
1834	135	- - -	—	33,200	
1835	153	- - -	—	38,567	

Increase in the last four years, 22,189 tons.

From HULL, GOOLE, and other Ports in Yorkshire.

	Ships.	*Chaldrons.*		*Tons.*	*Tons.*
1828	158	15,886	equal to	20,255	
1829	137	12,653	—	16,133	100,538
1830	143	15,837	—	20,192	
1831	272	34,476	—	43,958	
1832	389	- - -	—	51,122	
1833	173	- - -	—	16,110	112,744
1834	177	- - -	—	17,751	
1835	257	- - -	—	27,761	

Increase in the last four years, 12,206 tons.

James Pearsall.

AN ACCOUNT of the Quantity of COALS Imported into the Port of *London*, from the Year 1828 to the Year 1835, both inclusive.

	Ships.	*Tons.*	*Tons.*
1828	6,750	1,960,559	
1829	6,992	2,018,975	8,104,101
1830	7,108	2,079,275	
1831	7,006	2,045,292	
1832	7,528	2,139,078	
1833	7,077	2,010,409	8,526,984
1834	7,404	2,078,685	
1835	7,958	2,298,812	

Increase in the last four years, 422,883 tons.

James Pearsall.

A COMPARATIVE STATEMENT of the Quantity of COALS Imported into the Port of *London* from the Ports of *Newcastle, Sunderland, Stockton, Blyth, Scotland, Wales* and *Yorkshire*, from the Month of January to May 1835, and January to May 1836, both inclusive.

From the Port of NEWCASTLE.

	Tons.		*Tons.*
January 1835	89,885	January 1836	67,444
February —	77,464	February —	106,668
March —	127,278	March —	93,363
April —	114,245	April —	109,715
May —	99,211	May —	92,156
	508,083		469,346

Decrease in the present year, 38,737 tons.

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From the Port of SUNDERLAND.

	Tons.		*Tons.*
January 1835	30,951	January 1836	35,381
February —	40,357	February —	61,806
March —	60,813	March —	60,706
April —	52,469	April —	72,310
May —	50,515	May —	56,384
	235,105		286,587

Increase in the present year 51,482 tons.

From the Port of STOCKTON.

	Tons.		*Tons.*
January 1835	15,579	January 1836	14,183
February —	19,607	February —	28,206
March —	25,859	March —	25,789
April —	19,150	April —	28,236
May —	17,688	May —	21,122
	97,883		117,536

Increase in the present year 19,653 tons.

From the Ports of BLYTH and SEATON SLUICE.

	Tons.		*Tons.*
January 1835	4,867	January 1836	4,003
February —	3,807	February —	4,830
March —	5,655	March —	5,705
April —	6,151	April —	7,558
May —	4,340	May —	6,769
	24,820		28,865

Increase in the present year 4,045 tons.

From LEITH, INVERKEITHING, and other Ports in *Scotland.*

	Tons.		*Tons.*
January 1835	5,240	January 1836	564
February —	1,818	February —	1,577
March —	3,201	March —	1,626
April —	3,680	April —	2,679
May —	2,315	May —	2,263
	16,254		8,709

Decrease in the present year 7,545 tons.

From SWANSEA, LLANELLY and other Ports in *Wales.*

	Tons.		*Tons.*
January 1835	1,388	January 1836	3,315
February —	532	February —	673
March —	895	March —	1,827
April —	4,372	April —	1,816
May —	1,900	May —	3,210
	9,087		10,841

Increase in the present year 1,754 tons.

From HULL, GOOLE and other Ports in *Yorkshire.*

	Tons.		*Tons.*
January 1835	980	January 1836	2,297
February —	1,526	February —	1,847
March —	1,440	March —	1,542
April —	1,305	April —	956
May —	2,782	May —	1,380
	8,033		8,022

Decrease in the present year 11 tons.

(*continued*)

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Importation from 1st January 1836 to 31st May - - - -	929,906
Ditto - - - ditto - 1835 to 31st May - - - -	899,265
Increase in 1836 - - -	30,641

James Pearsall.

1910.* Is this the price list now published (*handing a list to the Witness*)? —It is.

[*The list as handed in was as follows:*]

No. 72.—PRICES of COALS at the Coal Market, Friday, June 17th, 1836.

QUALITY.	Price per Ton. £. s. d.	QUALITY.	Price per Ton. £. s. d.
NEWCASTLE:		SUNDERLAND—*continued.*	
Adair's	– 18 –	Russell's Moorsley Main	
Bensham	– 16 6	Wallsend, Braddyll's Hetton	– 21 6
Carr's Hartley	– 18 6	Wallsend, Haswell	– 21 6
Chester		Wallsend, Hetton	– 21 9
Dean's Primrose		Wallsend, Lambton	– 21 6
Felling Main	– 16 6	Wallsend, Pemberton	– 17 6
Garesfield		Wallsend, Russell's Hetton	– 21 6
Howard's Main	– 17 6	Wallsend, Russell's Lyons	
Holywell Main	– 20 –	Wallsend, Stewart's	– 21 6
Leaze's Main	– 15 –		
Orde's Redheugh	– 16 3	HARTLEPOOL:	
Picton		W. E. Braddyll's Hetton	
Ponton Windsor	– 16 9	Wallsend, Hartlepool	
Russell's High Main	– 16 3		
Shipcote		STOCKTON:	
South Hartley	– 19 –	Dixon's Butter Knowle	
Stormont Main		Tees Tanfield	
Tanfield Moor		Wallsend, Adelaide	
Townley	– 16 –	Wallsend, Auckland	
West Hartley		Wallend, Gordon	
Willington		Wallsend, Land's	
Wylam		Wallsend, South Durham	
Wallsend, Bell & Brown		Wallsend, St. Helen's, Tees	
Wallsend, Bell, Robson & Co.		Wallsend, Tees	– 20 3
Wallsend, Bewicke & Co.	– 20 3	Wallsend, West Hetton	– 18 6
Wallsend, Burraton			
Wallsend, Brown's		BLYTH, SCOTCH, WELCH AND YORKSHIRE.	
Wallsend, Chirton			
Wallsend, Carr & Co.		Blyth	
Wallsend, Clark & Co.		Cowpen	
Wallsend, Gosforth	– 20 3	Elsecar Main	
Wallsend, Greenwell		Hartley	
Wallsend, Heaton		Howard's Netherton Main	
Wallsend, Hilda		Llangennech Coal	
Wallsend, Hotspur		Nevill's Llanelly	
Wallsend, Killingworth	– 18 9	Merthyr	
Wallsend, Lanchester, Sanhope & Co.		Pemberton Llangennech	
Wallsend, Monkseaton		Smithson's Low Louth's	– 16
Wallsend, Newmarch		Silkston, Field & Co.	
Wallsend, Northumberland		Firbell's Gawber Hall	
Wallsend, Peareth		Wallsend, Devonshire	
Wallsend, Perkins'		Wallsend, Henderson	
Wallsend, Riddle's			
Wallsend, Walker		TRADERS:	
Wallsend, Waldridge		Shipcote	
		W. E. Hetton	
SUNDERLAND:			
Bell's Primrose		SMALL:	
Lambton's Primrose		South Durham Nut	

Arrived since last day - - - 53 - 205
42
163

12, Coal Exchange.

Geo. Biggs.

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1911. Are you aware by whom this Account No. 72, 17th June 1836, signed George Biggs, 12, Coal Exchange, is made out?—That is made out by George Biggs.

1912. Who is he?—He is a coal merchant, and has an office on the Coal Exchange.

1913. Is that the act of a private individual, for the information of his own customers, or is it by public authority?—By no public authority, certainly.

1914. This list purports to give the number arrived since the last day, but it does not state the number sold?—It does not.

1915. Are you aware of any accounts that show that?—There are none.

1916. With reference to the account you gave in of 18th February 1831, do the words, "29 ¼ unsold," indicate the total number of ships in the river unsold, or only the number of that day's arrival unsold?—It is the total number of ships in the river unsold, which was on that day 29 ¾; the next is the 21st of February 1831, when there were 136 ¾ ships at the market; the difference between the 29 ¼ and that number were the arrivals on that day, and then sold 11 ½, leaving 125 ¼ unsold. The reason of those small sales was, that it was in contemplation to take off the 6*s.* duty, and during that time of course the buyers were very slow in purchasing. We went on in that way until the 1st of March 1831, when a Treasury Order came down, and the duty was to be discontinued. On that day there was an accumulation of ships to the number of 434 ¼ at the market; sold 258 ¾, leaving unsold 175 ½ ships.

1917. By these returns any purchaser could at any time ascertain the number of each kind remaining on sale?—Yes; they have marked against each the quantity at the market, and the quantity sold, and the quantity that remains.

1918. Mr. *Pease.*] You took an interest, in consequence of your official station, in the passing of the 2 & 3 Will. IV, I presume?—I did; I was consulted on the subject officially.

1919. Are you aware whether any representation was made on the part of the factors or the buyers to Mr. Frankland Lewis, or any other gentleman, of the difficulty or inconvenience that would arise to the trade from the list being suspended or stopped?—There was some observation made that the price was not always correct; and I admit there were instances of their not being correct; they were correct as far as the office was concerned, because we always took the price from the contract delivered in by the factor; if there was any inaccuracy of the price, it arose from the factor's inaccurate statement, but there were few errors, comparatively speaking.

1920. The question applies to whether, at the time that new regulation took place, any representation was made to the effect of showing the utility of the list which you have now stated to be discontinued, and the absolute necessity, for the convenience and information of the trade, of such a list being continued?—I believe the general opinion of all the factors was, that that list ought to be continued.

1921. But the Legislature did not choose so to continue it?—They did not, although the Reports of the Committee of the House of Lords and Commons were in favour of that list, which stated that the consumer would be exposed to great imposition and the trade embarrassed, if the publication of the market-price of coal was discontinued.

1922. The Act that afterwards passed did not take measures to secure its continuance?—No; the Report of the Committee stated fully that the public would not be protected without a market list.

1923. *Chairman.*] Was there no representation made to the Court of Aldermen on that subject?—I apprehend not; a committee was appointed by the corporation to watch the proceedings of the Bill, and they made the report of the nature of the Bill that was to be brought into The House.

1924. Mr. *Pease.*] Your knowledge of the circumstances of the case enables you to assure the Committee this list was not discontinued at the request of the trade?—Certainly not; there were some gentlemen who were of opinion the market list was not beneficial, but I believe, nay, I am certain, the majority of the trade thought it was very beneficial; and my experience has confirmed that opinion.

1925. The account which you have delivered in of the comparative statement up to the present time, for eight years, shows the quantity from the port of Newcastle, Sunderland, Stockton, Blyth, Seaton: from Scotland, Wales and Yorkshire;

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Yorkshire; but it does not show the different kinds of quality as the account of 1830 did; why is that?—I can furnish that also; being a separate account.

1926. By this account there appears to have been a decrease in the last four years of imports from the port of Newcastle, as compared with the preceding four years, of upwards of 536,531 tons?—Yes. I have made this out to show the increase or decrease of those respective ports; the decrease from the port of Newcastle in the years 1832, 1833, 1834, 1835, as compared with the previous four years, is 536,531 tons; from the port of Sunderland, increase 214,456 tons; from the port of Stockton the increase in the last four years, 685,352 tons; Blyth, Seaton and Wales, a decrease of 30,627 tons. I have delivered in another paper, which shows on the whole an increase from those ports of 422,823 tons; those are for the comparative four years. I have continued the same for the present five months, from January to the present time.

1927. Then by the next document given in, the decrease from the port of Newcastle continues, and the increase from Sunderland and Stockton also continues?—Yes.

1928. Showing that in the five months of this year the increase, as compared with 1835, is 30,641 tons?—Yes.

1929. Mr. *Pease.*] Do you consider the list which you have just given in, purporting to be an account of the importation, sufficient evidence of the actual increase of consumption in London?—Yes; I have no other evidence than that, which is correct, because it is taken from the fitters' certificates, entered in the office; and the only evidence that can be had.

1930. Do you conceive an increase of imports can in no case be attributed to the peculiarities of the season, as affecting the arrivals of vessels in the river even on the first day of any year, or the non-arrival on the last day of any year?—I am not aware of that; at some particular parts of the year, towards the autumn and winter, there are large arrivals as the weather gets colder; and that account is from the 1st of January to 31st December, without referring to any particular month.

1931. Then if on the first or second day in the new year a large fleet had arrived, there being a demand for coals at the time, it would not appear in the statement of the preceding year?—No, whatever arrives on the 1st of January goes into that year.

1932. Will you deliver in an account, distinguishing the different sorts of coals imported in each year of the last six years?—I have the annual accounts published since the last examination by the Committee in 1830. The first is the account for 1830; the last delivered in to the previous Committee being for 1829.

[*The Witness handed in the same for the Six Years* 1830 to 1835. *Vide Appendix.*]

1933. Have you any other account?—I have an account of the price of Russell's and Stewart's Wallsend coals, as certified at the port of shipment for the years 1830 and 1831.

[*The Witness handed in the same, which is as follows:*]

AN ACCOUNT of the Prices of *Russell's* and *Stewart's* Wallsend Coals, as certified at the Port of Shipment, for the Years 1830 and 1831.

	1830.	1831.	—
	per Chald.	*per Chald.*	*per Ton.*
Russell's Wallsend - - -	15/9	15/9	12/3
Stewart's Wallsend - - -	16/3	16/3	12/6

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1934. How does this come into your possession?—I took it from the fitter's certificate.

1935. Does this show what the price was during those two years of the best coal?—Yes.

1936. Give,

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1936. Give, for the same periods, the prices of the different sorts of coals at the shipping ports?—I will prepare the document.

1937. Mr. *Pease.*] In the former part of your evidence you alluded to occasional inaccuracies in the lists published by you; did that allusion apply to the parties who might be suspected of having made false returns of the prices at which their coals were sold?—Whether those inaccurate returns arose from accident or design I cannot say. There were inaccuracies occasionally.

1938. The objection raised against the list was, that the public were liable to be deceived, either by mistake or by design, owing to the inaccuracies over which you could have no control, having crept into that list?—That was so.

1939. May not the same thing now occur, provided the public guide their purchases by the list furnished through private means?—Certainly.

1940. You have no means of knowing whether similar inaccuracies do exist in the list so made out by private parties at this moment?—The public have not the means of obtaining information under the present system which they had under the old system, for under the old system if a price was mis-quoted there was reference had to the contract in the office, to see whether it was the mistake of the clerk or printer, or where the mistake arose.

1941. The list furnished by private individuals to their connexions in town or country may be assumed as correct, on the faith of the parties printing them, as respects coals passing through their hands, but are liable to the same inaccuracy as regards all other coals, that inaccuracy being inadvertence or direct falsehood in the returns of the prices?—I do not know what plan is adopted by the factors in giving the prices; I have no official means of knowing it; there were inaccuracies in the old list to a certain extent, and no doubt there are inaccuracies in the present list, but there are no means of checking them.

Mr. *Robert Clarke*, called in; and Examined.

Mr. *Robert Clarke.*

1942. *Chairman.*] YOU were asked whether any resolution had been come to by the meeting of the factors in 1835, respecting the number of cargoes that should be offered for sale, according to the prices then in the market. Have you now prepared that document?—Yes; and I now hand it in. [*It was as follows:*]

RESOLUTION come to at a Meeting of Factors, on Friday, January 30, 1835.

Resolved, That on any market-day, when the price of the best Sunderland coals has been 21*s.* or less on the previous market, the number of cargoes to be offered for sale shall be 40; when 21*s.* 3*d.* or 21*s.* 6*d.*, shall be 50; when 21*s.* 9*d.* to 22*s.*, shall be 60; when 22*s.* 3*d.* shall be 70.

1943. Was that resolution for your own guidance, or was it communicated to the committee of the coal-owners in the north?—Yes, and it was communicated to the coal-owners.

1944. Did you receive any answer to it?—I have no doubt we did, as we continued to act upon it.

1945. Is that the last resolution under which you now regulate the supply in the London market?—There was another resolution entered into at a particular moment which was afterwards abandoned.

1946. What was the nature of that resolution?—It was a higher scale of price in the depth of winter in the following year.

1947. Have you a copy of that?—I have, and it is as follows:

Copy of a RESOLUTION come to December 7, 1835.

When 21*s.* 6*d.* or less, 40; when 21*s.* 9*d.* or 22*s.*, 50; when 22*s.* 3*d.* or 22*s.* 6*d.*, 60; when 22*s.* 9*d.*, 70.

Acted upon until 3d March 1836, and then returned to the scale of the 30th January 1835, as above.

Mr. *Thomas Wood*, called in; and Examined.

Mr. *Thomas Wood.*

1948. *Chairman.*] DO you reside at Castle Eden, near Hartlepool?—I do.

1949. Have you been for any time a manager of collieries in the north?—I have been an agent and manager of collieries for nearly 15 years; partly as a manager and partly as a subordinate agent.

1950. What particular collieries do you allude to?—I was first engaged on the

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the collieries of the Marquis Londonderry, then belonging to Lady Vane Tempest, subsequently at Hetton Colliery on the Wear, the Tees Wallsend Colliery on the Tees, and I am now the managing partner of the Thornley Colliery.

1951. Do you now belong to the Hetton Colliery?—I have now no connexion with the Hetton Colliery; I had a connexion as partner until last January, when I sold my interest.

1952. When you belonged to the Hetton Colliery, was it in the regulation of the vend?—During a certain period it was in the regulation, and during a portion of the time that I was there, there was no regulation of vends.

1953. Were you acquainted with the proceedings before the Tees came within the regulation?—Yes; the Tees did not come within the regulation until the beginning of 1834.

1954. To what market do the coals now go that you work at Thornley?—To almost the whole of the coasting markets between Whitby and Portsmouth, and to the London market.

1955. What are the qualities of the coal?—The quality of the coal we send to London is the Hartlepool Wallsend of the first quality.

1956. Is that colliery now within the vend?—It is not in the regulation of the vend.

1957. Will you state generally what you know respecting the agreements that have taken place as to the regulation of the vend since you are acquainted with it?—The first regulation that the Hetton Colliery was in was about 1824 or 1825; it was of short duration. In 1826 there was no regulation of the vend; during 1827 and 1828 there was a regulation; during a portion of 1829 there was not a regulation; during 1830, 1831 and 1832 there was a regulation; in 1833 there was no regulation until towards the close of the year, when there was a partial regulation; 1834 and 1835, and the present year, there has been a regulation.

1958. What has been the effect, in your opinion, of the regulations of the vend, both as regards the price to the public and the way in which the interests of the coal-owners have been affected?—With regard to the prices to the public, the immediate effect of a regulation of the vend has invariably been a rise of price, which is, in point of fact, the object and end of it; and that is attained by the mode in which the regulation is managed. The less immediate effect, I may say, is, that it tends to increase the quantity of the inferior coals sent to market.

1959. Do you mean that is an indirect effect?—It is not so immediate in its effect as the rise of the price. I have prepared a statement of the increase of inferior coal in 1835, a year of regulation, over the year of 1833, a year of no regulation, which would explain the meaning of what I have stated, that it is not so immediate in its effect in that respect as it is in the increase of the price.

1960. Does the table you have prepared apply to any one of the rivers particularly?—It applies to the whole importation into London. There are no public documents I am aware of to show the increase or decrease as to the coasting trade.

1961. From whence have you got those public documents, showing the quantity received in London, by which you are enabled to make up your table?—They are annual statements, published by the authority of the coal and corn committee, and made out by Mr. Pearsall, who signs himself clerk and registrar. I will take two periods, the one in the year 1833, which was the year of no regulation as to quantity, and only a regulation as to price during a small portion of the latter part of it; the other year is 1835, when there was a regulation. The first part of this statement shows all the Newcastle coals sent to the London market not called Wallsend. The second part shows the Newcastle coals sent to this market called Wallsend. This does not indicate the quality of the coal, inasmuch as the Wallsend comprises coal as low down as 18 *s.* a chaldron on board in the river Tyne, and the coal not called Wallsend includes some, the prices of which are as high as 23 *s.*; so that as an indication of the quality, it does not fairly represent it. I may exemplify that in the first instance, by referring to Hebburn Colliery. That coal is shipped in the river Tyne at 23 *s.* or 24 *s.* a chaldron at the present time; and yet it is in the second class, while in the Wallsend or first-class coals I find Wallridge coal, which is shipped at 19 *s.* from the river Tyne. There are some even lower than that, but the quantity is inconsiderable; there are some as low as 18 *s.*, so that it clearly does not indicate the quality of coals. I will show the quantity of increase and decrease: in 1833 the

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the coals in the inferior list, or not the Wallsend list, sent from the Tyne, are 460,840 tons; the same coals sent in 1835 are 534,090 tons; in 1833 the coals called Wallsend on the Tyne were 599,299 tons, and in 1835, 732,210 tons, making an actual increase on the former quantity of 132,911 tons, and a total increase of the coals from the Tyne in 1835, as compared with 1833, of 206,161 tons. The next list is a list of the Wear coals imported into London in 1833, including Seaham. The coals in 1833 imported from Sunderland, not Wallsend, are 74,209 tons; now that includes Eden Main, Lambton Primrose and Russell's Lyon's coals, the whole of which sell at Sunderland at 24*s.* 6*d.* per chaldron. In 1835 the same kind were 28,152 tons, the decrease chiefly being on Lambton's Primrose, on which there is a decrease of 50,000 tons in 1835, and an increase of some of the inferior coals making up the difference. The Wallsend in 1833 from Sunderland were 590,174 tons; in 1835 they were 601,402 tons; that makes an increase on the Wallsend of 11,228 tons, which, deducted from the former decrease of 46,057, leaves an actual decrease of best coals from the Wear of 34,821 tons in two years.

1962. Including Seaham?—Including Seaham. Now with regard to the Tees: In 1833 the importation from the Tees of all kinds was 170,187 tons: in 1835, 229,885 tons, making a total increase on the Tees of 59,698 tons of all kinds. From Blyth in 1833 (which are altogether inferior coals), 48,689 tons; in 1835, 65,046 tons, making a total increase of 16,357 tons. The Scotch, which are inferior coals, in 1833 were 15,138 tons; in 1835, 40,955 tons, being an increase of 25,817 tons. Yorkshire coals, which are also inferior coals, in 1833 were 16,050 tons; in 1835, 27,394 tons, making an increase of 11,344 tons. The Welsh coal in 1833, 28,416 tons; in 1835, 35,420 tons, making an increase of 7,004 tons.

1963. What conclusion do you draw from this statement?—That there has been a considerable increase of inferior coals during the year 1835, as compared with 1833.

1964. Shall you be able to give a statement of the quantities increased or decreased of each kind of coal, in order to ascertain in what proportion the better or worst coal are decreased?—Yes.

1965. As a coal-owner, have you become acquainted with the regulations under which the coal trade is now conducted?—Yes, I have. The present regulation was begun on the 24th August 1833, and it is contained in a series of resolutions passed at the Coal-trade Office in Newcastle-upon-Tyne, which I can put in; taking the price of the best coals at 24*s.* 6*d.*, such as Stewart's Wallsend, Hetton's Wallsend and Lambton's Wallsend; the price of second coals 20*s.* 6*d.*, such as the Lyon Main, Eden Main, Russell Lyon's, and Lambton's Primrose; that was the basis of a temporary regulation during the latter part of the year 1833.

1966. Is this an official copy, signed Robert Gills, assistant-secretary, which was sent as a circular to all the trade?—I think so; that came to the Hetton colliery.

[*The Witness handed in the same, which is as follows:*]

Coal-trade Office, Newcastle-upon-Tyne, 24 August 1833.

General Meeting of Coal-owners, held here this day.

Robert William Brandling, Esq., in the Chair.

1. Resolved, That all differences arising from the claims between the two rivers, and of various collieries, for compensation for shorts in 1831 and 1832, be referred to three gentlemen, to inquire into all facts and circumstances bearing upon those claims, and decide upon what, in their judgment, will be a just and reasonable adjustment of such difference.

2. Resolved, That any three of the gentlemen in the list read to this meeting be applied to by the committee to act as such referees.

3. Resolved, That this meeting agree to be bound by such decision, and request the chairman to communicate this resolution to any owners not represented at this meeting, and invite their concurrence.

4. Resolved, That it is the opinion of this meeting that the regulation, as to price only, ought to be tried, in such a way as not to affect, at any future period, the formation of one more comprehensive, embracing both price and quantity, should it be found advisable so to extend it.

5. Resolved, That for the present 24*s.* 6*d.* per chaldron, of 53 cwt., be fixed as the price for the best coals, and 20*s.* 6*d.* for Lyon's Main, and coals of a similar description; and that the committee regulate the price of all other coals in a fair proportion to these prices, subject to a reference, in case the proprietors consider the price named too high.

6. Resolved, That in case any owner shall not be able to sell his coals at the price fixed, that he be allowed, in order to ascertain the real relative value of his coal, to lower his price, or

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or to uphold the price of any other, subject to the control of the committee, as to the extent to which he shall be allowed this indulgence, and to a reference in case he should think himself aggrieved.

7. Resolved, That this meeting adjourn to Saturday next, 31st instant, at half-past 12 for 1 o'clock punctually.

Sir, Coal-trade Office, Newcastle-upon-Tyne, 26 August

I am directed by the chairman to forward to you the accompanying Resolutions, and earnestly to request your attendance at the adjourned meeting on the 31st instant, and that you will be prepared to state the highest price you are willing to fix as the selling price of your coals, the best being at 24*s.* 6*d.* per chaldron of 53 cwt., and Lyon's Main, and coals of a similar description, 20*s.* 6*d.*

I am, &c.

Robert Gills, Assistant Secretary.

The arrangement that was then entered into related to price merely, and not as to the quantity. In the early part of March 1834, there was a regulation both as to price and quantity, the price of best coals being advanced to 26 *s.* 6 *d.*, and the second coals to 22*s.* 6*d.*; that is as to the Wear. Those which were 24 *s.* 6 *d.* were raised to 26 *s.* 6 *d.*, and those which were 20 *s.* 6 *d.* were raised to 22 *s.* 6 *d.* That was not universal through the Tyne. I have a published list of the price of coals on the Tyne at the two periods referred to, and in some cases there was no advance on the Tyne.

1967. Then the regulation was not complete?—The regulation was complete; but the best coals only were advanced; the coals were not equally advanced throughout. On the 4th of September 1834 a further advance was resolved upon, on the grounds which are contained in a resolution of the Coal Trade at Chester-le-street, of 4th September 1834:

Meeting of the United Committee of the Coal-owners of the Rivers Tyne, Wear and Tees.

R. W. Brandling, Esquire, in the Chair.

Resolved 1st, That an equitable adjustment of prices is absolutely necessary, in order to ensure the continuance of the present regulation, and that the London market list of prices affords a fair criterion for such adjustment.

2d. That to attempt an equalization, by a reduction of price with the present limited vends, would be highly inexpedient, if not impossible, as many coals would thus be placed below the cost of production.

3d. That those coals, the relative position of which in the market schedule justifies such an increase as shown by the statement before referred to, ought to be advanced 2*s.* per chaldron, and the others in proportion.

4th. That the following scale of prices, adjusted on the foregoing principle, appears to this meeting fair and equitable, and that the adoption of it is strongly recommended.

5th. That the shipowners be informed that an advance, not exceeding 2*s.* per chaldron, is contemplated upon all ships not already upon the turn-lists, and which shall be loaded after the 18th instant.

6th. That the issue for the first 15 days of this month be 40 per thousand on the basis, deducting 10 per cent on the overs up to the 30th of June last.

1968. Was the effect of that regulation to raise the best coals to 28*s.* 6*d.*, and the others to 24 *s.* 6*d.*?—Yes, that was the effect.

1969. And such regulation took place?—Yes, and those are the prices at the present time.

1970. Was the colliery in which you are interested a party to the regulations?—Yes, it was.

1971. And did that colliery act under that regulation, and how long?—After opposing the advance for a considerable period they did agree to it.

1972. In what way did you oppose?—The opposition was first in these terms, by a resolution of the Hetton Company, "At a meeting of the 12th of August 1833, they opposed regulations, the price of which should place the best coals above 24 *s.* 6 *d.*, and that should place the second above 20 *s.* 6 *d.* on the Wear."

1973. Read the resolution?—

1st. That in the event, and as soon as the claims of this company for expenses incurred by them on account of the strike of the pitmen in 1831 and 1832, an account of which was sent to the Coal-trade Office on the 9th August instant, and also the claims of this company for compensation for short workings for 1831 and 1832, and for compensation in respect of the owners of other collieries having worked more than their respective quantities previously to and in the months of November and December 1832, shall be settled to the satisfaction of this

this company, they will consent to such a regulation of the trade as is mentioned in the next resolution.

2d. That on the terms in the preceding resolution being complied with, this company will be willing to enter into a general regulation of the trade as to prices alone, provided the highest prices upon the river Wear shall not exceed 24*s.* 6*d.* per chaldron for the best coals, and 20*s.* 6*d.* per chaldron for the second coals.

3d. That in case any difference shall arise as to the amount of all or any of the several compensations above mentioned, the same shall be submitted to the determination of three persons wholly unconnected with the coal trade, to be appointed in the usual manner.

Robert Smithson, Chairman.
John Gully.
John Burrell.
Arthur Mowbray.
William Redhead.
John Wood.
Armour Donkin for *Mrs. Dornell.*

1974. Are all the parties who were present on that day the names affixed to the document?—Yes.

1975. Mr. *Pease.*] State what proportion of the interest of that colliery was represented at that meeting?—I think 17 out of 27 shares were represented by those present at the meeting.

1976. Do the resolutions appear to have been unanimous?—Yes, there appears no dissent. Subsequently to this they did agree to advance to 26*s.* 6*d.*, and then to 28*s.* 6*d.*, although in agreeing to that they were not unanimous.

1977. What portion was represented in the agreeing?—I am not able to state that; I know Mr. Gully consulted me, and by my advice dissented from it.

1978. *Chairman.*] Is it on that basis, or this regulation, that that colliery now forms part of the general vend?—It is upon those prices, and the articles of agreement forming the present regulation are printed.

1979. Were you present at any meeting in April this year of the coal-owners, when it was determined to oppose the progress of the several Bills in the Durham district?—No, I was not present.

1980. Thornley colliery is not included in the present regulation?—It is not.

1981. State to the Committee what has been the effect of the regulation of the vend, both as regards the supply and the price to the public, and as it affects the coal trade generally?—The effect of the regulation is to place the best coals at a price (without reference to whether it is a fair remunerating price or more than a fair remunerating price) which is so high that the inferior coals may be sold at a profit. The resolution on the 4th of September proceeds on that ground, that unless the best coals are raised 2*s.* a chaldron, and others in proportion, there are coals that could not be worked, because they would, if reduced, then be below the cost of production. The first effect then of the regulation is to force an inferior coal on the market, which, in a state of competition, evidently could not be sent to pay the producer. That is further confirmed by the mode of sale in London, which is conducted in this manner: the London coal factor fixes a price for the best coals as a *pivot*; the parties connected with the trade here may be able to state those prices. When the price reaches a certain amount, a certain number of ships are offered for sale; if it increases on a certain scale, the number offered for sale increases also; but there is this part of their resolutions which ought to be observed, that any ships left unsold on a former day always form part of the quantity offered the following day; so that it might, and has I believe on one occasion been found to happen, that no best coals were offered for sale on the market, inasmuch as the inferior coals left unsold previously formed the complement that was to be offered according to the scale.

1982. Mr. *Pease.*] State the day?—I cannot state the day; it was in the early part of the year. I know the fact from a complaint having been sent to me by a factor as to it, it was either the latter part of last year or the early part of this. My information was derived from Mr. Metcalf, who wrote to me on the occasion, and I have his letter at home, which I can send.

1983. State to the Committee whether Mr. Metcalf is a factor on the Coal Exchange?—He is.

1984. Is he acting in concert with the other factors in those regulations?—I presume he is.

1985. He protests against the proceedings of the body of which he is a member?—I presume he is in a minority on those occasions. The effect is to force the inferior coal on the market.

1986. *Chairman.*] What effect has the regulation had on the price in the north?—

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north ?—The first effect has been of raising the price of coals in the north; then to maintain this advance, making issues on the basis of each colliery, so that these issues never gave such a quantity to the market as to reduce it below the scale the coal-owners had fixed for the regulation.

1987. You state the result is to force the inferior coal on the market; do you mean the prices of the best coals are so raised that fewer of them are purchased, or in what way?—The regulation proceeds upon the plan of assigning a certain quantity to each colliery, whether it be the best or whether it be inferior; those quantities are subject of reference, and are called bases.

1988. Mr. *Pease.*] Do you mean the Committee to infer, that the quantity is fixed without reference to the quality?—I do not give an opinion of the ground on which it is fixed; I presume it is upon the power of working, extent of the mine, and in some instances it possibly may be as to the quality.

1989. Do you wish the Committee to understand your impression and opinion, without saying anything of knowledge, is, that the quantities for each pit are fixed without reference to the quality of coal produced by those pits?—I cannot answer for the parties who assign those quantities, what materials they may take into their consideration.

1990. Have you never heard it avowed as a principle for fixing the quantities, that the quality shall be an integral part of their consideration?—I think I have in some cases, but I have never heard any referees state that.

1991. Do you doubt whether that is an integral part of the consideration?—I think it is not an integral part; it may be a consideration on some occasions, but I think it is not an integral part, on this ground, that if it was an integral part, the first consideration would be, what price would be a remunerative price to the producers of the best coals; I see that is first fixed by the producers of the best coals at 24*s.* 6*d.*; it is quite clear, therefore, if the quality was taken into consideration, many of the inferior classes could not be sent at all, according to that resolution, and thus no quantity would be assigned to them.

1992. State by whom the 24*s.* 6*d.* was fixed?—By the Hetton colliery, in the first instance, and adopted by the coal trade.

1993. Was that regulation carried into force?—For three months.

1994. Was there any agreement signed on the subject?—I have no recollection whether there was or not. I know as a fact myself, with reference to a colliery on the Tees, that a meeting was called, a short period after that, to try to form a regulation there, and I objected to it at that period. At that time the Tees had never come into any regulation.

1995. You are perfectly aware the other rivers refused to enter into a regulation, without the Tees would join?—In 1834 there was a refusal on the part of the others, unless the Tees would enter into the regulation.

1996. You were a representative of certain collieries?—I was, on the Tees.

1997. Were you not at that time on the Wear?—I was not.

1998. Did you, on the Tees, raise your prices to 24*s.* 6*d.*?—No; they were not raised at all.

1999. *Chairman.*] What are the prices now in the vend for the best coals?—£.1. 8*s.* 6*d.* on the Wear.

2000. Were they fixed in October 1834?—In September 1834.

2001. Are we to understand by the statement you have given in, that in the annual increase of importation which has taken place into the port of London, there has been a decrease of the best coals, and an increase of the inferior coals?—I speak as compared with the two years, 1833, which was not under regulation, and 1835, which was under a regulation.

2002. Are you able to make the comparison of 1834 with 1835?—I will do so.

2003. Since September 1834, have you been present, or do you know of any meeting of coal-owners at which it was contemplated to raise the price from 28*s.* 6*d.* to 30*s.* 6*d.* per chaldron?—I have heard it stated by parties who were there; I was not present.

2004. Can you state the parties?—The first person I heard it from was either Mr. Gully, or my brother; I believe my brother. I was subsequently inquired of by Mr. Gully, as to my opinion of the policy of it.

2005. Can Mr. Gully give any information on that subject?—I know he consulted me on the point.

2006. When was that?—A month or six weeks back; it was stated to me as a subject that had been under discussion, and he wanted to know my opinion as to the

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the propriety of it. I gave an opinion against the propriety of it, both to Mr. Gully and to my brother. I have since understood it has been waived for the present, at least pending this inquiry.

2007. Mr. *Pease.*] Not having been present, you are not prepared to state whether it was taken up at any meeting in form of an absolute proposition, or merely as conversation?—I cannot state the mode in which it was done; the question asked of me was, "whether it would be prudent for them to consent to it?" I stated not.

2008. What would be the effect as to the price, to the public and to the coal-owners, in case there was no regulation?—The immediate effect to the public would be a reduction of price, as has always been found to be the case when there has been no regulation of vends; the ultimate effect to the public is a speculative opinion, on which perhaps I may differ from others; but my opinion is this, that the best coals, comprehending three or four of the best classes, can supply the vend exclusively, from their powers of production, and that they can supply it at a price that would remunerate them, and which would completely exclude the inferior coals from the market; but it would depend on those prices continuing moderate, whether those inferior coals would be brought into the market again or not.

2009. Seeing that the object of the vend is a remunerating price, will you state to the Committee what you consider would be the remunerating price of the colliery you work?—I should say, 24 *s.* 6 *d.* for the best coals, and 20 *s.* 6 *d.* for the second-class coals, which are the only two coals we produce, would remunerate us very well.

2010. Thornley?—Both Thornley and Hetton; that would be for the Newcastle chaldron on board.

2011. State what that would be per ton?—For best, 9 *s.* $2\frac{9}{10}$ *d.* per ton; for seconds, 7 *s.* $8\frac{8}{10}$ *d.* per ton.

2012. Is it your opinion that a sufficient quantity can be obtained of that quality of coal required for the London market, at that price?—I have no doubt a sufficient quantity might be obtained at that price, and corresponding reduced prices, 22 *s.*, and some 21 *s.*, and so on: but I am taking two classes of coal, and speaking of two collieries, and those collieries are similarly circumstanced with several others.

2013. What is the power of the Hetton colliery now?—I think in the year 1833 their vend was 168,000 Newcastle chaldrons. I have taken the power of production of the Hetton colliery on an average at 150,000 Newcastle chaldrons yearly; under the present regulation, I suppose their vend may not be quite 110,000. I presume the other collieries on the Wear, such as Stewart's and Lambton's, would produce in the same proportion; that is, that 150,000 could be produced, but they may only produce under the regulation about 110,000. Lord Durham's colliery, in the same way, 150,000, and under the regulation only 110,000. The North Hetton I have taken at 50,000; they may not work more than 35,000 under the regulation. South Hetton I have taken at 50,000; they may work 35,000. The Haswell I have taken at 50,000 also; their vend under the regulation would not be more than 35,000. Thornley, the productive power of pits already sunk, would be 75,000; the regulation would not leave them more than 50,000.

2014. Have you made out an estimate of all, so as to give the power of each river?—I have no means of making it out with reference to the Tyne and Tees. Many collieries on the Tyne have productive power as much above their actual vend as the collieries on the Wear; some on the Tees may also, though perhaps not all. I should say that those powers will be further increased by winnings, either in progress or in contemplation. The Haswell company are contemplating a winning; the Thornley company are contemplating one or two winnings, which will be completed in the course of two years; and the South Hetton company are also contemplating two winnings.

2015. Mr. *Curteis.*] Would not the effect of this be, that the lower classes would be obliged to buy a better article at a higher price?—The effect would be, they would buy a better article at as low a price as they are now buying an inferior article.

2016. Mr. *Pease.*] They would be reduced from 28 *s.* to 24 *s.* a chaldron; how much would that be a ton?—One and sixpence a ton.

2017. If the retail price in London now be 31 *s.* 6 *d.*, it would reduce the price to

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to 30 *s.* or 30 *s.* 6 *d.*?—That is not the inference I should draw from it. You will, I think, find that the people who sell coals in London, generally speaking, only make two prices, best coals and second coals; and between these two prices I have sometimes seen only as much as 1 *s.* a ton difference, but generally 2 *s.* a ton difference. Now the second class and second price very often comprise coals that are as much as 6 *s.* a ton below the best coal; consequently, if they sell them at 2 *s.*, it may comprise coals that have actually been sold at market at 4 *s.* lower, and the public have no security against this; in proof of which I have made out a statement of the highest and lowest prices of coal, for three months of the present year.

2018. You speculate on coal being reduced 4 *s.* per chaldron at the places of shipment; you said that would be a reduction of about 18 *d.* per ton; if the public are now paying 31 *s.* 6 *d.* or 32 *s.*, then you have speculated on those coals being reduced to 30 *s.* or 30 *s.* 6 *d.*, taking it on the same coals in both cases?—As far as the coal-owner's price goes, it would be a reduction of 18 *d.* a ton.

2019. Mr. *Wakley.*] When you say there would be a remunerating price for the first and second class of coals with regard to the owners, do you mean the wages of the workmen would continue the same as now?—I conceive they would continue the same as at the present time.

2020. You do not calculate on reducing their wages?—Not at all; of course it goes on the supposition that the stores would continue very much on the average as they are at the present time. You will observe, the elements of the productive cost of coal consist of labour and materials, and it must proceed on the supposition that those keep very much the same as they are at present; which I believe, as far as my knowledge extends as to wages, will remunerate the workmen, if they have constant employment.

2021. *Chairman.*] If a greater quantity of the superior coal would come to London, what would be the effect as regards the price of inferior coals, which would go coastwise in that case?—I conceive the price to London and to the coast would be the price of 24 *s.* 6 *d.*,—20 *s.* 6 *d.*; with the best coals reduced to that price, there are many inferior coals that could not be sent, to leave the producer any profit, or indeed without considerable loss.

2022. Then they would cease to work until the price might rise again by any decrease of quantity?—Yes, until the price would rise by any cause to such a point as they could produce the coal, and send them to market at a profit.

2023. Are we to understand the effect of the regulation, in that respect, is to keep in working collieries, which are so expensive, that without that the other and cheaper collieries would compete with them in the market, and shut them out?—It does not all depend on the expensiveness of working those coals, and I will show from a list it does not so depend. In the month of April I have taken certain coals as a comparison; I have taken the highest and lowest, to show the greatest range of difference; I find in April the range of difference between the highest and lowest was 6 *s.* 3 *d.* per ton, or 16 *s.* 8 *d.* per chaldron.

2024. Where was that?—At London, on the coal-market. In the month of April it was 6 *s.* 3 *d.* also, on the average of the whole month; in the month of May it was 6 *s.* 4 *d.* a ton, or 16 *s.* 11 *d.* a chaldron, making 16 *s.* 9 *d.* a chaldron as the average. The cost of production of the best coal would be very little more than 16 *s.* 11 *d.*, if their quantity was extended to the quantities I have stated here; so that while they could actually sell their coals on this market so as to save themselves, the owner of the inferior coals in question would not get a 6 *d.* for working his coal, and sending it down to the ship. In confirmation of that, it is a fact known on the Coal Exchange that inferior coals have been offered for sale at the freight and the expense of the London market, and have been declined; in one instance a cargo of Chester Main was declined on those terms.

2025. Give the names of the parties engaged in that transaction?—I think it was Chalton & Watson, and who stated the fact to me; I believe it occurred in 1833.

2026. How would you be able to keep an open trade; because it has been stated to the Committee great difficulty on the point would arise, and that heretofore they have never been able to keep it open, and that in future the difficulties are such as to prevent it?—In the first place, I think that the coal trade is such a healthy trade on the whole, the demand being so steady and not variable at all by whim or fashion, or subject only to slight variation from mildness or severity of weather, that it would always adjust itself and keep itself regular, provided the

owners

owners of the best class of coals did not ask more than a fair remuneration for them.

2027. Are we to understand, speaking of an adjustment, that there are no peculiarities in the coal trade to require union to shut out competition, more than in any other of the great branches of supply of necessaries for the public?—Certainly not; there is however one peculiarity in the coal trade which I should wish to mention, and it is this: it is generally the case that the ship-owner, instead of being a carrier merely, is the purchaser of the coal of the coal-owners at the port he ships it at, and he becomes in so far a speculator in that cargo of coal until it is sold in the London market. When any depreciation takes place, if the coal-owner sold his own coal in the London market, he would keep back his coal, or in fact regulate his trade by the demand on the market, as every other man I presume does; because he would immediately see, by forcing too great a quantity of his coal in proportion to others, that his price deteriorated until it became not a remunerating price. If the coal-owner sent his own coals, and sold them on his own account in the London market, the immediate effect I conceive would be a sort of regulation formed on the least remunerative price at which a coal-owner would consent to sell his coals; but the effect of any temporary reduction of price being now received rather by the ship-owners in the first instance than by the coal-owner, the latter indeed does not feel it so long as the ship-owner will buy his coals, and when he will not buy them the coal-owner now curtails his issue to keep the prices about the regulation price.

2028. Suppose a number of collieries, unable to compete with the cheaper one, were shut up, what would be the effect as regards the supply?—I conceive that the collieries producing the first three or four classes of coals, taking 28*s.* 6*d.* as the highest, and coming down to 22*s.* 6 *d.* or thereabouts, with coals of a similar quality that could be produced from other quarters, would supply the market entirely.

2029. Do you consider that there is any peculiarity in the application of capital for winning coals, which renders the supply difficult or doubtful?—I should say not to render the supply difficult or doubtful at all.

2030. What proportion of capital would you consider necessary to raise 100,000 chaldron of coals?—That depends on so many circumstances not taken into consideration in putting the question, the depth of the shaft to be sunk, the quantity of water to be contended with, and whether the party had to make a private railway; unless these points were given, I could not say; but I can state an instance which has come under my own observation within a short period, where I have made an estimate to sink a colliery to work 100,000 chaldron. It is a private colliery. I will state the depth and size of the pits, and sort of material to go through; there are two seams of coal, the depth of one would be about 70 fathoms, to which I propose to sink a pit 15 feet in diameter, and divide it into three. The depth of the second seam would be nine or ten fathoms less, about 60 fathoms, on which I propose to sink another pit 12 feet 6 inches diameter, and to be divided into two. The result of the whole is, with an allowance for contingencies of 3,140 *l.*, the cost would be 50,000 *l.* In corroboration of this, I have proposed to give security to undertake and complete it for the money.

2031. Do you make any calculation as to the period of lease, and what sinking fund you are to provide for the redemption, and what price you are to get for the coal?—I have not been able to give it further consideration than this, that the stock, such as engines, waggons, locomotive engines and so on, forms about 20,000 *l.* of this 50,000 *l.*; the other part consists of houses, the sinking the shafts which would be lost at the time these pits would be exhausted.

2032. What interest do you allow for the money that is to be advanced?—I have not estimated what profit could be made as to this colliery; this is merely the cost of sinking the colliery, distinguishing that part which would be lost entirely from that part which would be kept up.

2033. Supposing you take 50,000 *l.* in sinking, and that you apply 25,000 *l.* as you have stated, that would be lost, but that at the end of the lease a portion of the outlay that could be realised; state what that portion is?—About 25,000 *l.* would remain in stock.

2034. At the end of what period?—That depends on some circumstances which are necessary to be named. It might happen from dikes and other interruptions, this colliery could not be worked 20 years or 10 years; it might happen it

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it could be worked 30 years; taking it for 25 years, it would then become necessary to redeem that part entirely lost at the end of the time.

2035. Can you give any statement, taking the period of working it for 21 years, showing what receipt you would have as a redemption fund, and what profit you would have in the meantime, and stating the price of the coals?—I will prepare such a statement.

2036. Have you any acquaintance with the system of way-leaves in the north?—The Hetton colliery ships coals by a railroad, that pays way-leave rent.

2037. What is the highest you know of?—In the Hetton colliery it is variable; the highest instance I know is 200 *l.* a year for two acres, paid to Mr. Solomon Chapman, of Sunderland.

2038. Mr. *Pease.*] Is that now in existence?—Yes.

2039. Do they now pay 200 *l.* a year for those two acres?—That was agreed for 42 years.

2040. There are powers in those way-leaves to give up?—Yes, on giving a certain notice.

2041. Have you any way-leaves on the Thornley colliery?—No, we ship by a public railway.

2042. Which?—The Hartlepool.

2043. Is that by a fixed rate per chaldron?—It is a fixed rate per ton for the way-leave dues; the coal company haul for themselves.

2044. What is the lowest way-leave on the Hetton colliery?—The lowest rate they pay is to the representative of Mr. Ironside, 150 *l.* per annum, for going nearly a mile through his property; in addition, they pay a damage ground-rent, which amounts to about 15 *l.* or 20 *l.* a year.

2045. *Chairman.*] Do you consider the late system of working collieries by railroads without way-leaves as likely to lead to decreased expense to the public?—The system of sending coals down a public railway undoubtedly I consider as tending to reduce the cost of producing coals.

2046. Mr. *Bell.*] Have you any objection to state to the Committee what is the total amount of way-leave rent the Hetton company pay?—I think it is about 2,600 *l.* to 2,700 *l.* a year.

2047. What is the length of railway?—Little better than eight miles, between eight and nine miles; the main railway is just eight miles, and there is a branch.

2048. *Chairman.*] Do you know any part of the country through which the South Durham railroad runs?—Yes, I know a portion of it.

2049. Is it calculated to open up any additional supply of coal for shipping?—I am not sufficiently acquainted with the coal to say what the coal is, but I know the fact, that there is coal in that neighbourhood; six or seven years ago I was in the habit of being very much there, and the coal was worked then; as to the quality, I am not capable of giving an opinion, from the distant recollection of it.

2050. Do you know the situation of the Durham South-west railroad?—I know one portion of it where it comes about the Black Boy colliery, in the Auckland Valley.

2051. Would that railroad open a coal-field for any additional supply for the market?—I am not prepared to state what the additional supply would be; I presume it is a mere question of expense of conveyance between two railroads; whether the present railroad could take them, or whether any other railroad would be required to take them, depends on the question whether the expense down one or the other was the lowest; that which was the lowest would necessarily get the trade.

2052. You are aware of the existence of the Factors' Association?—I am.

2053. Is it your opinion that that committee could be maintained if there was no combination in the north, or no union in the north?—I am not prepared to say whether it could or could not; I gave an opinion to this effect, that the mode in which they did regulate the quantity offered for sale has the effect of forcing the inferior coals on the market; as to whether it could or not be maintained without the association in the north, I am not prepared to say.

2054. Can you suggest to the Committee any means by which coals generally can be supplied cheaper than they are now?—I conceive an open trade reducing the price would, as a first effect, reduce the cost of production, because it would set a man's ingenuity to work. I know it was made a boast by the manager of a colliery

a colliery, in 1827, that he could work the coals and put them on board at 24*s.* a chaldron, and I know for a fact that that colliery is now working them and putting them on board, without any material alteration either in wages or stores, at 17*s.* 6*d.* a chaldron, and that improvement has chiefly resulted from low prices, making a man resort to all the means in his power of reducing the productive cost. I conceive taking a high price tends in the first place to destroy the energy which otherwise would be exercised in working coal.

2055. Mr. *Pease.*] Do you mean to state that colliery was conducted on the best possible system known in the trade?—It was conceived to be so at the time; but it could not be so, having admitted of a reduction from 24*s.* to 17*s.* 6*d.*

2056. The question applied to whether that coal was worked by the best possible system at that time practised in the trade?—I believe it was.

2057. On what ground do you base your belief?—Because, in the first place, the person who had the management was supposed to be as well acquainted with the production of coal as any other person.

2058. You put it on the ground of supposition, and without accurate inspection of other minutiæ to know whether that is correct or not?—I put it on the ground that I supposed the person having the management was a person capable of managing it as well as most other persons.

2059. You then have no doubt of his capability, although circumstances have proved his management was not what you would have supposed it to be?—The productive price has been reduced from 24*s.* to 17*s.* 6*d.*

2060. Was the reduction effected under the same agent?—No.

2061. The agent was changed?—A portion of the reduction was effected by the same agent, and that reduction was effected by the adoption of the plan of working the pillars much sooner than they had before been worked.

2062. You assumed an individual, from your knowledge of his character, was capable to manage a pit in the best possible way; but did not further experience prove he was throwing away 4*s.* or 5*s.* or 6*s.* a chaldron?—I do not know that; an improved system was afterwards adopted.

2063. When a bad system is changed for a good system, is it not a proof that the former system was not a good one?—No doubt.

2064. Are you prepared to state that pit was worked on the best system known in the trade?—I am not prepared to state further than that it had a good agent.

2065. You have stated public lines of railroad will decrease the cost of coal to the consumer?—I stated it would decrease the cost of production.

2066. Do you mean to state any public line of railroad with which you are acquainted would carry the Hetton coal for the prices they are now carried?—I believe it could.

2067. State any one?—I believe the Hartlepool railway would carry them the same distance cheaper.

2068. What do you apprehend the Hetton coal costs per mile?—It varies according to the quantity; the way-leaves being paid on an unlimited quantity, when they work very extensively, of course that part of the expense is divided over the whole. Engine-men and inclined plane men's wages in the same way. The wear and tear of the engines is nearly in the direct ratio of the work; but upon the fixed charge, such as the incline and engine riders, it is constant, let them work what they will. I have known it as high as 3*s.* 6*d.* and as low as 2*s.* 6*d.* a chaldron; that is the leading charge without shipping.

2069. You have stated the way-leaves on the Hetton to amount to about three farthings per chaldron per mile?—I have not stated so.

2070. Make a calculation of what the way-leaves would amount to?—It would be 6*d.* per chaldron on 108,000, which is somewhere about the present vend.

2071. Then, is not the assumption in the former question a correct one, that that is three farthings per chaldron per mile?—Yes, it is nearly that.

2072. The way-leaves costing them 6*d.*, you say the other charges are about 18*d.*?—I said I had known it as high as 3*s.* 6*d.*, and as low as 2*s.* 6*d.*

2073. The mere leading costs 2*s.* for those eight miles?—Yes.

2074. Is that inclusive of waggons?—That does not include waggons, nor does it include deterioration of railway; it merely includes the expense of working the way-leaves.

2075. It follows, as a matter of course, it is not the way-leave system that enhances the price in those cases?—It partially enhances it, because if it was 6*d.* on 108,000, it would only be 4*d.* on 156,000.

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2076. You pay three farthings per ton per mile on the Hartlepool?—That is the highest charge they can make.

2077. Does that include lead?—It does not include haulage; it includes all expenses for the use of the way, and includes the leading over two self-acting planes nearly a mile and a half long; the company work that at the regular railway charges of three farthings per ton per mile.

2078. Do you consider the rate of way-leaves paid by the Hetton company a fair average rate of way-leave?—No, I should say it is very low. I know, on the Haswell company attempting to take way-leaves nearly over a similar country, about four years ago, I was engaged to let a way-leave to them, and they showed me their scale; and on 80,000 chaldron they had, for about nine miles and a half, to pay 4,600 *l.*; that was the proportion of a scale shown to me by Mr. Taylor; they would have to pay an additional rent if they vended beyond that.

2079. *Chairman.*] You have stated there would be an advantage to the consumer of 18*d.* per ton, if the best coals were generally brought to market?—There would be a reduction to that extent in the price of best coals, as regards the coal-owner's price.

2080. Are the Committee to understand that there will be a larger proportion of the better coals, and consequently not so great a risk of mixture with inferior coals as now takes place?—That is precisely what I wish to state.

2081. Have not the coal-owners been subjected to great variations in price, and consequently in returns, by the alternate open markets and regulation?—Very great alteration indeed. In 1827 and 1828 the price of coals on board a ship was 36*s.* 6*d.* a chaldron; in 1833 it sometimes did not leave the coal-owner more than 18*s.*; on one occasion, the 26th of June, Hetton Wallsend coal sold as low as 14*s.* 9*d.* a ton on this market; and it has terminated invariably every unregulated year in a lower regulated price for the succeeding regulation.

2082. Are we to understand that such have been the changes during the last 10 or 12 years?—The last eight or 10 years.

2083. Do you not consider that a low price to a producer, if steady, would be better than subjecting him to the great changes you have mentioned?—It is precisely because I wish to have a low steady price that I am opposed to the present regulation of vends, because I know the present prices will not be maintained if competition is brought to bear on them much longer, and they must result in a contest, when each party will strive perhaps to undersell the other instead of selling at a remunerative price.

2084. Is it your opinion the price would, under a fighting trade, be permanently low, and that the profits, whatever they might be, would be steadier than they hitherto have been?—Under a fighting trade I very much question, for some time, whether any profit would be made at all; but I conceive it would settle down, as all other trades necessarily must, in the supply by those who can produce the best coals cheapest.

2085. Mr. *Pease.*] How long do you think it would be before certain great coal-owners, under the most advantageous circumstances, would monopolize the trade to the exclusion of the less opulent and less favourably situated?—I do not think it would depend on the great coal-owners; it depends on whether the man who has the best article can produce it at the lowest price. It does not follow because great coal-owners have coals that they can drive them out; a little coal-owner having Tanfield coal, or a coal required for steam-boats, such as West Hartley, if he can produce that cheap will command a market at all times.

2086. Do you mean to say a little man will bear the fighting trade for the time it exists as well as the great man?—That depends on circumstances not taken into the question.

2087. Will you have the goodness to answer the question?—If the little man is wealthy, and can afford to lose money, he may carry it on as long as the great man who is not wealthy. My observation formerly was, that the trade would settle down into the hands of those who could produce the best coal cheapest.

2088. How long do you think it would be in so settling?—I am not able to give an answer, as I have scarcely formed an opinion upon that point. I think if the owners of inferior coals knew for a certainty that there would be no future regulation, that they would withdraw their capital from the coal trade immediately, and would not throw it away in a contest which must be fruitless.

2089. Mr. *Bell.*] Do you think you would swamp half the collieries in the trade

trade in three years, four years or five years?—I cannot give an opinion as to the swamping of the collieries. Mr. *Thomas Wood.* 23 June 1836.

2090. Have you never given that opinion?—I have given this opinion on all occasions, that the best coals would, if sold at a low price, not exceeding 24 *s.* 6 *d.* a chaldron, ultimately command the whole of the market, that is, the best coals, comprised in which there are 20 or 30 different kinds of coal.

2091. You are a man of considerable experience; can you form any idea how long it would take to put an end to these collieries?—I do not know their finances, in the first place; and in the next place, I do not know whether they might conceive it prudent to withdraw without a loss, or whether they might consider it desirable to continue their collieries at a loss, with the prospect of some future profit; it depends on the feelings and condition of the party who is in contention.

2092. *Chairman.*] Is there not at the present moment a very considerable loss by the screening during the regulation of the vend?—There is a considerable loss at all times, whether during the regulation or during the open trade, in the screening; the coals are screened from a fourth to a third out of them.

2093. Is there so much screened during the open trade as there is during the regulation?—I think there is.

2094. Do you think there is no difference?—Not that I am aware of.

2095. There is a considerable loss at both times?—There is a considerable loss.

2096. For the London market?—They screen for all markets; the coals sent to the London market are generally screened more than those sent to others.

2097. Does the regulation of price apply to coals exported?—No, not exported foreign; any coal sent foreign is not included in the vend.

2098. Are the selling prices different?—Very different.

2099. How do you mean?—Small coals, for instance, scarcely ever come to the English market during the regulation, inasmuch as they would be considered as a part of the vend of the colliery sending them; small coals are therefore charged a higher price if they go to the English coast, and they are in some measure prohibited; at Hetton colliery we used to refuse to sell any to the coast, while they are sold foreign at a low price, as it is the only outlet.

2100. Suppose Wallsend shipped for Gibraltar or India, as compared with the same quality shipped for London, would there be any difference in the price?—I have known instances of large coals shipped foreign at 4*s.* to 6 *s.* per chaldron below the regulated price.

2101. On what does that depend?—Because the price so obtained is more than sufficient to remunerate the coal-owner for production. Suppose he can work his coal at 18*s.* and sell it at 28*s.*, there is 10*s.* profit; that profit is limited to the quantity issued on the basis. If he can sell 1,000 or 2,000 chaldrons more at 26*s.*, over and above his vend, he will be glad enough to get 6*s.* on that quantity, or even 4*s.* only in some cases, because it is all additional profit.

2102. Does that apply generally in the three rivers?—I can speak, as far as my own observation goes, to the Hetton Colliery; it used to be the case there, and I believe is at the present time.

Mr. *George Taylor*, called in; and Examined.

2103. *Chairman.*] WHAT connexion have you with the coal trade?—I am a coal merchant, and one of the firm of Dalgleish & Taylor. Mr. *George Taylor.*

2104. How long have you been in the trade?—Upwards of 30 years.

2105. Do you belong to the joint committee of factors and buyers?—I am one of the committee.

2106. State to the Committee the expense incurred on the coals from the delivery at the ship, and what charges you have to pay before you sell them?—It amounts altogether to 7 *s.* per ton. The items of which that is composed are, lighterage, 1 *s.* 3 *d.*; wharfage, 6 *d.*; loading, 9 *d.*; cartage, 3 *s.* 6 *d.*; shooting, 1 *s.*

2107. If you buy coals at 21 *s.* 6 *d.* from the factor, they would cost you 28 *s.* 6 *d.*?—Yes.

2108. Is that without profit?—There is a small profit attached to the lighterage and the cartage. That is without the merchant's profit.

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2109. Do the buyers generally themselves have barges of their own?—The buyers on the market have barges of their own and carts of their own.

2110. They have the proportionate profit by those means?—Yes.

2111. But over and above that, there is the profit on the coals?—Yes.

2112. Is that to be added to it?—Yes.

2113. Do you include in that the expense attending the weighing for delivery?—Yes, that includes every expense.

2114. Does it include the sacks?—It includes the sacks, and everything connected with the trade.

2115. Are you obliged to put the coals in sacks, or is it optional?—We are compelled to put the coals in sacks unless we have a weighing machine on the wharf, which would weigh the waggon, and take the tare of the waggon altogether.

2116. Does the Act provide that?—Yes, we are compelled to have the machine on the wharf; if we want to weigh any larger quantity than is contained in a sack, we are compelled to have the machine on the wharf to do so.

2117. If you put them in sacks, are you not also obliged to have a weighing machine to accompany the cart?—Yes, to accompany the cart, certainly; but that machine only weighs 224 lbs. at a time, which each sack contains.

2118. Do you deliver any in bulk in carts?—We do not ourselves, but I dare say it is done in some cases.

2119. Have you, in any instance, wharfs where the vessels come to the wharf to deliver without lighters?—Our wharf is above London Bridge, and there is no vessel comes to it; it is in Scotland Yard.

2120. Are there any wharfs on the river where vessels lay alongside to deliver without lighters?—I am not aware of any.

2121. Would not that be the means of saving a very considerable expense?—It would save the lighterage.

2122. Do you pay any metage?—No; metage is done away by the last Act of Parliament.

2123. Have you not on board every vessel a meter?—A weigher.

2224. Do you pay anything for weighing?—The buyer pays 1 ½ *d.* per ton, and the factor pays 1 ½ *d.*

2125. Is that included in this charge?—It is so trifling that it is sunk in the charges; it is included in the 7 *s.*

2126. What proportion of coals of the first or second class do you sell?—A very large proportion; the coals we sell are of the best sort.

2127. Have you ever found any difficulty in the market of getting whatever kind of coal you wanted?—Very seldom.

2128. Are you a party to the arrangement by which the number of ships brought to market is limited according to the price sold?—Not at all; I know that such a thing exists, but I am no party to it.

2129. You are a member of the joint committee of factors and buyers solely for the purpose of regulating the weighing?—Solely for that purpose.

2130. Have you ever been detained in weighing coals for want of a weigher?—Yes, I have; the ship has laid in the river for want of a weigher, but it does not often occur, and only for a short time, since the present Act.

2131. Do you consider the money paid for weighing is as low as it can be done for?—I do think it is.

2132. Are you aware that 115 *l.* on the average is earned by the men employed there?—Yes, I am.

2133. What wages are earned by the working gangs who throw the coals into the barges?—It is paid by the factor.

2134. What is paid from the barge to the quay?—A man makes about from 25 *s.* to 35 *s.* per week.

2135. Constant employment?—Almost constant employment.

2136. Is it by the piece or by the day?—We pay 9 *d.* a ton for loading the waggons.

2137. Is that the amount paid to them?—Yes.

2138. What quantity can a gang work?—A good gang of men can do 50 tons in a day.

2139. How many men?—Four men; that is a large day's work.

2140. Are they employed every day;—They are every day employed; but they have not such a good day's work as 50 tons every day.

2141. Can

2141. Can you suggest among these charges any mode by which the expense might be reduced and the consumer get his coals cheaper?—I am not aware that it can be done cheaper.

2142. Does great competition exist among the sellers?—Great competition.

2143. How does it happen sometimes contracts appear to be taken below the price at which coals are sold; can you explain that?—No, I cannot; it is a mystery to the trade.

2144. You know very unequal contracts are taken from time to time?—I know contracts are taken that I should lose a good deal of money by taking them.

2145. Is there much mixture of coals at the wharf at loading to suit customers, or are they generally just filled as they come from the vessel?—There is a good deal of mixture to suit the different consumers of coals, as well with regard to the price as with regard to the quality of the coals.

2146. In regard to contract coals, do you go to the coal market to buy them, or buy them on the river?—Go to the coal market to buy them.

2147. Is it necessary you should do so?—I have no means of buying them otherwise.

2148. Cannot you load your own coals and bring them up?—If I go to the north and make a contract with the colliery and freight a ship, I can.

2149. Cannot you freight a ship if you have a contract for a particular kind of coal?—It would cost me more money, I am afraid, than I could buy the coals for at the market.

2150. Mr. *Pease.*] The competition keeps down the price of freights, does it not?—That is my opinion.

2151. Being on the spot, you take the opportunity of purchasing as you see the freight suited to your purpose?—I would freight a ship if I saw I could gain any advantage by it.

2152. *Chairman.*] The risk is more than the profit?—Yes.

2153. As to the market days, do you find any inconvenience by there only being three market days?—Not at all.

2154. You think it amply sufficient?—Quite sufficient.

2155. Towards the close of the market, what is the kind of coals that is generally most abundant, the first sort or second?—I think a great proportion of the inferior coals are left unsold.

2156. At the end of the market unsold?—The best coals are always sold first; they always go off better than any inferior coals.

2157. What in your opinion would be the effect of the supply, instead of supposing at the present moment two-thirds inferior and one-third superior or best, if two-thirds were best coal and one-third inferior?—It certainly would have the effect of decreasing the price of the best coal, by throwing a greater quantity on the market of that particular sort.

2158. And reducing the price to the consumer, and giving a less price to the coal-owner?—It depends on what the coal-owner would sell for at the pit's mouth, or delivered on board. The coal-owner is not the seller of coals at the market, the coal-owner sells them at the pit's mouth or on board the ship; the ship-owner becomes the coal-merchant between the rivers Tyne and Wear and London, and he sells the coals by his factor to the buyers at the market. They may sometimes come on the coal-owner's account; it is not often they do so, and seldom when there is any regulation of the vend.

2159. Have you had experience when the trade was open, a fighting trade?—Yes.

2160. Were the sales conducted by the factors in the same manner then as now?—Just the same way, sold openly on the market.

2161. The price then was not in any way regular; they got what price they could?—They get the highest they can, and the coal-merchants buy as low as they can.

2162. What is the greatest variation in the price you have known any one day of the same quality?—Very little indeed, 3 *d.* or 6 *d.*

2163. Mr. *Bell.*] State to the Committee whether in your opinion the prices have fluctuated more or less during the regulation than when the trade was open?—They have not fluctuated scarcely at all during the regulation compared with what they did before there was any regulation; the regulation among the factors I mean.

2164. State to the Committee whether the poorer classes have paid more or less

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less for the coals during the regulation than when there was a fighting trade?—I think, generally speaking, the poor are cheaper supplied now that the delivery of ships is regulated, than they were prior to such regulation existing.

2165. *Chairman.*] Then who gets the profit; because it is proved the coal-owners in the years of no regulation in London lose; do you mean to say you as sellers had that profit?—I think the shipowners are getting considerable profit now, and have been since the very low year, the time the vend was done away with altogether. I am quite sure that the coal-merchant at this end has a very small profit.

2166. Considering the question you answered, are you not aware that the prices to the coal-owner were from 4 *s.* to 5 *s.* less during the fighting trade in 1833 than they are now?—Yes, they were lower at the market then, and of course the poor at that time got them at a lower price.

2167. If they were lower at the market, why did not the poor obtain the coals cheaper?—They did that one year, partially.

2168. Mr. *Bell.*] State to the Committee whether in your opinion, within the last two years, there has not been a large increase in the consumption of inferior coals, in consequence of the improved state of the manufacturing districts, and also the increased use of that description of coal for gas and steam purposes?—There has been a great increase in the consumption of inferior coals in London during the last two years.

2169. Mr. *Pease.*] Are you of opinion that coals of certain qualities are brought to the market in the proportion adapted to the demand?—Yes, I think they are.

2170. Do you think that any great increase of quantity of the best coals would be any advantage to the city of London, taking into account the purposes to which the different qualities of coal are applied?—I think if a greater proportion of best coals came to the London market than does at present, it would tend to decrease the price of the best coals, and still further to depress the price of inferior coals.

2171. But would you like to see the inferior coals excluded from the market?—No, I should not like to see them excluded altogether; there are some purposes for which inferior coals come that we could not otherwise supply; there are some manufactories that use inferior coals exclusively, and which are better adapted for their purpose than best coal.

2172. In point of fact, some branches of business cannot use the best quality?—I dare say they can use them, but not to so much advantage; they find it more to their advantage to use the inferior at the lower price, than they would to use the best at the higher price.

2073. Do you consider Hartley in quality equal to the best Wallsend?—Certainly not.

2174. Is it a fact or not that Hartley does frequently sell on the market for the highest price?—Yes, they do frequently, in consequence of the demand, for steam navigation particularly.

2175. Do not you consider that a proof, although of an inferior quality, it is best for the purposes required?—Certainly, or they would not use it.

2176. Do you consider Tanfield of the best quality?—Certainly not; it is of the best quality, but not for housekeeping purposes, because it is so small the housekeeper could not use it.

2177. Are you not aware the blacksmiths will buy nothing else?—They will not.

2178. Are there not other description of coals under like circumstances?—There are some other description of coals under like circumstances.

2179. Welsh coal, does not that bear a proportion of 50 to 100 per cent. more in price than the north-country coal?—I should think not.

2180. What is the difference?—The lowest price of the Welsh coal I bought at the market last week was 23 *s.* per ton; the best coals at that time were selling for 21 *s.* and 21 *s.* 6 *d.*

2181. Do you apply that remark to Welsh stone coal?—No, I am talking of Llangennech.

2182. What is the price of the Welsh stone coal?—The lowest price I heard of was 53 *s.* a ton.

2183. Do you consider it a principle that the price of the coal bears relation to the demand for the quality of the coal?—Certainly I do.

2184. *Chairman.*]

2184. *Chairman.*] You have said the best coals sell briskest in every market?—Yes.

2185. Have you ever known any best coal remain unsold?—I have known them remain unsold when inferior coals have been sold in the same market.

2186. To any extent?—Not to any very great extent.

2187. Do you think the London market would not take off a greater quantity of superior coals, if the price was a little reduced?—Yes, I think it would.

2188. Then in fact it depends on the price?—In that case they would take a larger quantity if they were offered for sale.

2189. You think then there is not quite, in proportion to the demand, a sufficient supply of the best coals at the present moment?—I think it would bear an increase.

2190. You were asked respecting regular prices; are you not aware that the prices have kept regular by the quantity brought to market by the factors?—Yes.

2191. Any irregularity that may be supposed to exist is like that of all other trades; the market is fed according to the price, is it?—I am not aware; the factors do so at the present moment; they feed the market, and according to the price so is the quantity of ships they offer for sale.

2192. Suppose on the Monday market the best Wallsend coals were sold under 20 *s.*, do you think the next day the factors would bring in any until the price rose?—They would bring the quantity that they purport to do when they are at that price.

2193. Under the regulation?—Yes.

2194. And none more?—No.

2195. Are you aware they bring the ships in rotation?—Yes.

2196. Suppose none of those 40 ships in rotation were the first quality, how would you as a buyer act?—I have found great inconvenience arising from that circumstance.

2197. To what extent have you found that inconvenience?—I have been obliged to go away from the market without being supplied with the coals I wanted of that particular sort.

2198. There being plenty of coals in the market?—Yes, but not of the kind I wanted.

2199. The best coals?—Yes.

2200. Mr. *Pease.*] Did you find that the case with the second or third quality?—Very rarely.

2201. Do you buy largely of the inferior quality?—The great portion of our business is in the best coals; we buy a considerable quantity of inferior coals, because there are many people who buy them from us whom we could not supply if we had not that kind of coals by us.

2202. *Chairman.*] Are we to understand generally the market is not so well supplied with best coals as they are with inferior coals?—There is a larger proportion of inferior coals at the market than there is of best coals, always.

2203. How long have you been in the trade?—Thirty years.

2204. Do you recollect whether there was a greater proportion formerly of better coals than there are now?—No; I think there were fewer best coals than there are now, formerly, in the early part of my being connected with it.

2205. Thirty years ago?—Very few best coals 30 years ago.

2206. During the open fighting trade what was the case, which was the greatest proportion of coals that came at that time?—There was a very large proportion of best coals came at that time.

2207. Larger than have done since?—I think so.

2208. And larger than was before?—Yes, and larger than ever was before.

2209. Mr. *Pease.*] Do you mean to say that you always could get any quantity of best coals while there was no restriction?—We could not always get that quantity of them.

2210. Were there not many market days on which there were no arrivals at all?—Of one particular sort of coals?

2211. Yes; of ships at all?—Many times I have known no arrivals at all.

2212. Have you ever known that to be the case under a regulation?—No.

2213. Is not the supply of all sorts much more regular than it used to be?—Yes.

2214. Do not you consider that a great advantage to the trade?—I think it is.

2215. If you had your choice, as a man of business, would you prefer a regulated

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lated or unregulated trade?—I prefer it under the present system, because the fluctuation is not so great, and of course we carry on a steady trade, and we have our usual profit. Formerly we used to lose a good deal by the fall of coals at the market; although we got a little increase by the rise, yet on the balance we were always worse off.

2216. Have you ever made any complaint to the coal-factors or coal-owners in the north, of there being a short supply of the best coal?—I have never made any complaint, but I have heard of such complaints as having been made.

2217. Is it to an extent which you, as a tradesman, would call serious?—No I should not consider so.

2218. Has it interfered materially with the necessary supply to housekeepers, or with the general conduct of the trade?—I do not think it has.

2219. Mr. *Bell.*] To what purposes are what are called the best coal applied, that the second and third sorts would not be fit for?—To housekeeping purposes; the second and third sorts would not be fit for that at all, to send by themselves.

2220. That is only a question of size rather than quality?—Of quality and size together.

2221. The very best quality, if not having size, will not sell at the first price?—Certainly not.

Veneris, 24° die Junii, 1836.

MEMBERS PRESENT.

Mr. Hume.	Mr. Lambton.
Mr. Wakley.	Mr. Edward Curteis.
Mr. Bell.	Mr. Wason.
Mr. Pease.	Mr. Hector.
Mr. Pusey.	

MR. HUME, IN THE CHAIR.

Mr. *William Metcalfe*, called in; and Examined.

Mr. *William Metcalfe.*

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2222. The *Chairman.*] WHAT are you?—A coal-factor; I have been so 29 years.

2223. Have you made any reports to Mr. Wood, as to the difficulty of obtaining any particular kind of coals at any particular times in the market?—I am not aware that I have made any particular report to Mr. Wood; I have written many letters to Mr. Wood.

2224. Have you ever known any deficiency of the best coals in the market?—Yes.

2225. Have you a copy of a letter sent to Mr. Wood, making any complaint on that subject?—I am not aware of any copy of a letter, not knowing the dates; I have a copy of a letter in my hand, which will show my sentiments on the coal trade, and from which I have never swerved.

2226. Will you state whether at any time any inconvenience has arisen to the buyers from the small proportion of best coals in the market?—There has been a lesser quantity of the best coals occasionally than could have been taken off.

2227. Has that arisen from the smaller quantity being brought to market, or the smaller quantity in the river?—There have been plenty of the best coals always in the river unsold since the rotation system.

2228. Then are we to understand that that want of supply arises from the regulations adopted by the factors for supplying the market, and not from any want of the best coals in the river?—Certainly; there has been no want of best coals in the river for 12 or 18 months, to my recollection.

2229. What is your opinion respecting the operation of the Factors' Society as regards the supply?—I will answer that at once by stating, I think it prevents a high price; it prevents a low price and gives a steady regular price to the public, and I will read certain suggestions which I made to my brother coal-factors on the 2d of February 1835, from which I have never swerved.

2230. To whom were those suggestions addressed?—I made them to my brother coal-factors and other persons connected with the trade.

2231. Are

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2231. Are we to understand this will explain your opinions on the subject?—Yes.

[*The Witness handed in the same, which is as follows:*]

In consequence of the fluctuating price which has lately taken place, and very justly given so much dissatisfaction, I am induced to offer the following suggestions and scale of plan for serious consideration, the more so as I consider we have been acting in direct opposition to the wishes of the coal-owners, who directed us, very properly, to have price for our basis, and that to be a prudent one. If adopted it will have the effect of giving permanency to the excellent rotation system of sale which has given such universal satisfaction, and saved so many thousands of pounds to the coal and ship-owner, without in any way injuring the interest of the respectable coal-merchant and the public, who I fancy are at all times willing and ready to pay a fair price for any necessary of life; it will have the effect, at all times, of preventing a ruinously low price, or an extremely high one; for the latter would be prevented by an issue of a larger quantity of ships for sale, and a low price on the other hand would be effectually met by a diminished number. It will have the effect of giving a spirit to the buyer, and confidence also to the factor in holding, when he thinks it necessary. It will have the effect of doing away with our continual meetings before market on each day; it will have the effect of inducing the ship-owner to have confidence in continuing to buy from the coal-owner; in short, it will prevent the ruinous extremes we have all witnessed, felt and suffered from, and cause the business of the Coal Exchange to be conducted in future on a solid basis instead of the excitement and confusion which is daily witnessed. I therefore recommend that when the previous price has not exceeded 20*s.* per ton, that ten fresh ships be taken from those which have not been previously offered to the buyers, and so on, as the following scale will show. I have calculated the scale for winter prices, presuming that the prices in the north will remain as they are now; viz. 28*s.* 6*d.* per chaldron for best Wear coals, &c. &c. &c. In the summer months I should reduce the minimum price 1*s.* per ton, and in the event of the prices either being lowered or raised in the north to the ship-owner, I would alter the scale accordingly.

Price	20*s.* 0*d.*	per ton,	take	10	fresh ships	for sale.
„	20*s.* 6*d.*	- ditto -		20	- -	ditto
„	21*s.* 0*d.*	- ditto -		30	- -	ditto
„	21*s.* 6*d.*	- ditto -		40	- -	ditto
„	22*s.* 0*d.*	- ditto -		50	- -	ditto
„	23*s.* 0*d.*	- ditto -		60	- -	ditto
„	23*s.* 6*d.*	- ditto -		70	- -	ditto

and when above 23*s.* 6*d.* each factor to be allowed to use his discretion in offering all his coals to the buyers, bearing in mind although he offers his coals, there is no necessity to sell all; it will also have the effect of having at all times some best coals for sale though the quantity occasionally may be small, and prevent that disproportion of price which has, naturally enough, given so much eclât to the Wear, and so much dissatisfaction to all the other rivers, those prices having arisen entirely from the fact of the deficiency of quantity of best coals allowed to be offered, and from no other cause. I am extensively connected, and greatly and generally interested in the welfare of a good trade, having devoted a number of years of activity and study to promote its success, and I offer this plan, hoping that it will meet with unanimous approbation; at the same time, if any better can be suggested and brought into general practice, nothing will give me greater pleasure than to urge a fair trial for its adoption.

(signed) *W. Metcalfe.*

2232. This bears the date of February 1835?—Yes; it appears copied in my letter-book on the 2d February 1835, but I wrote it about ten days before that period, and I think sent copies to some of my friends; I wrote it in consequence of the price of 26*s.* per ton, which took place about the 20th January.

2233. Have the suggestions you make in this letter reference to the existing regulations which the factors now act on?—Very shortly after, those suggestions of mine were adopted, the present plan on which we invariably sell our coals, at least to the best of my memory.

2234. This was before the present scale on which the factors act?—Yes, I think it was.

2235. Are we to understand you distinctly approve of limiting the supply of ships according to the price?—Most distinctly.

2236. Your suggestion is merely to vary the scale?—Merely to take in fresh ships instead of bringing forward ships which could not be sold on previous markets.

2237. Are we to understand that according as the price which you have given may be in the market, you would allow the ships that remain unsold by the present regulation, to be in the market, and also bring in this additional number of new ships?—Yes, if I understand the question correctly.

2238. Would you take them by the register as entered, whether they were

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first or second class?—Certainly; take the fresh ships as they arrive in rotation at Gravesend.

2239. How would this remedy the inconvenience which you have sometimes experienced in a deficiency of the best coal, as the new ships you took in might all be of an inferior quality?—It might so happen, but that is not likely, indeed scarcely possible.

2240. Would you take your chance of that?—Yes, it being not at all likely they should all be laden with inferior coals.

2241. You spoke of great variation of the price; to what particular period do you allude?—As far as my recollection serves, just previously to that period, on the 2d of February; I think in the month of January we had a great difference in price.

2242. Do you allude to the great variation of price in one year, or to the years generally during which you have been a coal-factor?—When I wrote that letter, I must have alluded to a very recent high price.

2243. Do you think your suggestion would prevent a ruinously low price or an extremely high one?—Yes, I have no doubt of it.

2244. Do you mean a ruinously high price to the coal-owner or to the shippers, or to whom do you apply that?—To either; we have a great many coals which come on freight, and others on ship-owners' accounts; it would apply either to the ship-owners, or freighters, or the coal-owners, whoever the importers of the coals might be.

2245. The objection of this suggestion seems to be to have a certain steady price, such as shall remunerate the owners and freighters of the commodity?—I had no other intention when I moved those suggestions.

2246. Did you take into consideration the propriety of affording the consumers the coals at the lowest price?—I think I have stated it would give a steady price to the public; and I know very well from my knowledge of the trade, that the coals cannot be sent here at a much less price than they are.

2247. You must be aware that there may be a steady high price or a steady low price?—Certainly.

2248. Which did you allude to?—I am not aware that I alluded to either.

2249. Did you not allude to a steady price?—Yes; if a ship-owner pays 28 *s.* 6 *d.* per Newcastle chaldron for Wear coals, I imagine he cannot afford to sell them for less than 22 *s.* per ton in the London market.

2250. That price has reference chiefly then to the remunerating price of the coal-owner?—Yes, and the ship-owner.

2251. You state "continual meetings on every market day took place, and your suggestion will prevent the necessity of that;" what do you mean by those meetings?—Meetings of the coal-factors.

2252. When did you meet, and what took place?—We have had no meetings lately.

2253. Had you at any time?—We had several.

2254. State what you allude to?—We generally had meetings before market, to know what quantity of ships should be offered for sale, and what we thought the market would bear.

2255. That was the time when it was decided how many should be brought to market?—Yes, how many should be offered for sale.

2256. Did these meetings take place daily on each market day?—At that time I believe they did.

2257. If the supply was regulated then by meetings, at what time do the meetings take place now?—We have no meetings now; we sell according to our resolutions; we have had no meeting on the subject of price lately, selling entirely on the resolutions.

2258. Is it the clerk of the market, or who is it that directs the number to be sold, according to the regulation?—Mr. Scott, our secretary, regulates the number of ships, agreeably to our resolutions.

2259. He acts agreeably to the regulations?—Yes.

2260. And he will continue to do so until another meeting should alter that scale?—Yes, unless there is any alteration.

2261. State what is meant by "the excitement and confusion which is a daily inconvenience at the coal-market?"—I recollect the time when, whether it was winter or summer, or whether the arrival was 10 ships or 300 ships, we invariably offered the whole of the ships that came to market for sale, and the consequence

consequence was, as may be supposed, nothing but excitement and confusion prevailed.

2262. How should excitement and confusion take place when every body had the opportunity of getting as much as he wanted; state what was the cause of the excitement?—The quantity of coals that used to be offered for sale, and we invariably offered all for sale, let the quantity be whatever it might.

2263. How long did that continue?—It has continued ever since I was on the Coal Exchange, until we entered into the present regulations; we entered into those regulations in consequence of the ruinous prices of 1833, when the best coals were sold as low as 14*s.* 9*d.*, 15*s.*

2264. Can you state whether you, in fixing the price at 20*s.* per ton, had before you the prices at which coals could be produced on the Tees or on the Tyne, and on the Wear, supposing them all the same quality?—I could only have it from report; I took for my scale that the ship-owner was paying 28*s.* 6*d.* per chaldron.

2265. Did you, in taking that scale, at all consider whether if the trade was free, some kind of coals could be supplied for 24*s.* 6*d.* instead of 28*s.* 6*d.*?—It is impossible to offer an opinion, without I knew the locality of each colliery.

2266. Then are we to understand the factors took 28*s.* 6*d.*, the price fixed by the coal-owner of the north, as their guide?—At that time they did, certainly.

2267. Has it altered since?—No, the price continues the same.

2268. Are you a ship-owner as well as a seller?—I am an extensive one.

2269. Do you buy coals yourself in the north?—Occasionally, as a ship-owner.

2270. At what price are you able to buy your coals?—I have only bought lately from the Wear, which is at 28*s.* 6*d.* per chaldron.

2271. Have you ever bought at less than 28*s.* 6*d.* since that was fixed on as the basis of the agreement in the north?—No.

2272. You proposed to reduce the price 1*s.* per ton in the summer months; on what account is that?—The ships can travel at so much less expense in the summer to what they can in the winter.

2273. Supposing the price of coals at the shipping port the same, you think that may be a fair difference in the amount of freight?—I think there is quite 1*s.* per ton difference between the summer and winter as to the expense of a ship-owner.

2274. State what the amount of the insurance between the Wear and London is?—I do not insure my ships very fully, but I do partially.

2275. What is the amount of insurance?—In the summer months I should say it is 12*s.* 6*d.* per cent. from Newcastle or Sunderland to London; and in the winter months it is from 20*s.* to 25*s.* per cent.

2276. Can you give an account of the insurance, summer and winter, during the last eight years, stating the average of each year?—The lowest price has been 12*s.* 6*d.*, the highest 30*s.*; that is, in the summer months the insurance has been as low as 12*s.* 6*d.*, and in the winter it has never exceeded 30*s.* to my knowledge, for the passage to London.

2277. Has there been much difference between the last four years and the four years before that?—I think it is perhaps on a less scale now than it ever was.

2278. You recommend, when the price shall be 23*s.* 6*d.*, that each factor should be allowed to sell what he can; do you propose that under an idea of any other coals coming in competition with the Newcastle coal if the price was kept higher?—I suggested that to prevent a fluctuating high price.

2279. Do you mean you thought the price to the consumer if it was higher than 23*s.* 6*d.*, would be complained of?—I thought it a dangerous price.

2280. Mr. *Pease.*] Did you consider it indicative of a demand that ought to be supplied?—When the coals were 23*s.* 6*d.*, I thought we ought to sell freely; very freely.

2281. You state that much dissatisfaction has arisen from the deficiency of the quantity of best coals allowed to be offered; can you state to what extent that deficiency at any time has been?—I cannot state the deficiency; I know on a few occasions that the quantity of best coals in the market has been very few as compared with other coals; hence an extreme high price has been obtained for those coals.

2282. Can you state at what price the coals from Scotland will come in competition with the Newcastle coal?—I know nothing about the coals from Scotland now.

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2283. Mr. *Pease.*] Do you know of any Scotch coals that rank with the best coals from the Tyne and Wear?—No, I know nothing about Scotch coals now; I have had a few Elgin occasionally, but from some cause or other I have been unfortunate enough to lose the part I had of his lordship's agent.

2284. The *Chairman.*] Are you a proprietor of barges?—No.

2285. Have you ever considered what the effect would be of colliers discharging at wharfs or in docks in the river, and thus dispensing with the use of barges?—Yes, I have given it my very serious consideration; my opinion is, as a practical man, that London could not be supplied with sea-borne coal, if we were necessarily compelled to deliver our colliers in docks.

2286. Suppose a quarter of the supply to be delivered at docks and wharfs, would there be any reduction of expense?—There would be a very considerable increase, inasmuch as the majority of the coals are consumed above London Bridge; consequently if our buyers had necessarily to send their horses and waggons down to the docks and do away with the use of barges, the expense would be very materially increased to the public. I cannot give evidence on that point myself, but it is more from associating with respectable coal-buyers that I form this opinion.

2287. We are to understand from you, if a collier dock at the Isle of Dogs or any where below Blackfriars Bridge was established, that the charge to the consumer west of that, would be increased instead of decreased?—I should certainly think to a very great extent.

2288. What do you say to the consumers in the city of London and the Tower Hamlets; do you consider they would obtain coals cheaper by having wharfs adjoining the place of delivery?—Any person residing in the locality of a collier dock might probably get their coals at a trifle less, or at the same price as now; that is a question more for the coal-merchants to answer than a coal-factor.

2289. Mr. *Pease.*] As a ship-owner have you contemplated a charge for dock dues to which you are not now liable?—I have given it my most serious consideration.

2290. The *Chairman.*] As a ship-owner, will you state to the Committee what is the rate of wages now paid, whether you pay by the turn or by the month?—We pay by the voyage in the coal trade, and in the foreign trade we pay by the month.

2291. Now, taking the coast trade, at what rate is it?—I think the wages this year are 4 *l.* or 4*l.* 4*s.* a voyage; last year they were only 3*l.* a voyage.

2292. Mr. *Pease.*] Are you prepared to state to the Committee any decided opinion as to a want of due proportion in the supply of coals with reference to the respective qualities and the demand in the metropolis for those qualities?—If I understand the question rightly, we could take more best coals than we have.

2293. What are those particular qualities which you think are in excess?—The inferior coals; I should say that those that are daily held over would appear to me to be no excess; those that are not in demand, and which the public do not buy, except at a low price.

2294. Does your answer chiefly apply to the lowest priced coals, or those used for manufacturing purposes?—I should say to the lowest description of coals.

2295. By these coals arriving in excess, is it your opinion the price to the consumer is cheapened?—Of course the consumer must get those coals much cheaper by the excess.

2296. Do not you consider that a decided advantage to the manufacturing interest in the metropolis?—If the manufacturers consume those coals; but I am not aware that they do. We have no means of knowing what becomes of the coals after the factor sells them.

2297. To whomsoever buys them, is it an advantage?—I do not know whether the poor people take them, or who consumes them.

2298. Whoever buys them, the lowness of the price you consider an advantage to the purchaser?—Certainly.

2299. Then if those coals were displaced by the higher priced coal, in what way do you think the public interest would be served?—I really do not know what becomes of the inferior coals.

2300. Is there no demand for them for steam or gas?—There is very great demand for steam and gas coals.

2301. Suppose any of these inferior coals are used for steam-boat purposes, do you think they would be equally satisfied with a superior class of coals, otherwise

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wise known as housekeepers' coals, at one-fourth to one-third higher price?—I imagine the best coals are not used as gas coals.

2302. Would they be satisfied at being compelled to take the highest quality at the highest price?—They never would be necessitated to take the high priced coal, so long as there was the usual good consumers' coals in the market, which we have a plentiful supply of.

2303. State on how many market days there have been no best coals at market?—I am not aware that we have ever been absolutely without the best coals; we have had occasionally very few for sale.

2304. Is it your opinion, serious inconvenience and loss to the trade have arisen from a short supply of the best coals?—I think the trade could have taken off more best coals if they had been offered by the factors for sale; this has frequently happened.

2305. In what way has the public been injured by that shortness of supply?—By the few being in the market fetching an excessively high price.

2306. You speak of an excessively high price; what price do you allude to per ton?—I consider any thing above 23*s.* 6*d.* or 24*s.* is an excessively fine or high price.

2307. State how often, during the last twelve months, the price has exceeded 24*s.* 6*d.*?—I should think not frequently.

2308. Do you think it has occurred twice?—I am not aware, but I dare say it may. I do not recollect the circumstance more than once.

2309. Have you ever known more than 70 cargoes sold on one market day, within the last twelve months?—I cannot say; I should think that is nearly a maximum number. I cannot exactly recollect this.

2310. If there were more than 70 sold, to what cause would you attribute so large a sale?—Demand.

2311. And the demand influenced by what?—By a real want of the article.

2312. Not by excessively low prices?—Certainly not.

2313. How great a length of time do you consider the barges now employed in the river will supply the metropolis?—That is more a coal-buyer's question.

2314. Have you ever made any calculation of the power of maintaining a supply, independent of the supply in the ships?—I know a barge can leave Westminster Bridge at high water, and be back the following high water, loaded.

2315. Notwithstanding you suggested a very diminished number to be offered to the buyers, that suggestion was not altogether adopted?—It was not exactly adopted, the plan which we now sell on was approved by the majority of the factors.

2316. The quantity now offered was considerably greater than your suggestion?—I should think not; I would in my scale always take fresh ships.

2317. Do you mean to say there has ever been a market day in which 10 ships only were offered?—No; I should not since the new system.

2318. Are you aware that occasionally all the ships offered have been sold?—I believe they have; it may have been so.

2319. In that case, if the price was but 20*s.* per ton, would there be more than 10 ships offered?—In such a case the price could never be any thing like so low as 20*s.*

2320. Can you assert that as a fact?—I can as an opinion.

2321. As a fact can you?—It appears the common sense view of it.

2322. Have you any means of ascertaining whether the coal trade on the average of the last five or seven years has, as it regards the coal-owners, been a lucrative trade?—I do not think it has.

2323. The *Chairman.*] What ground have you for forming an opinion one way or the other; have you any returns or statements from any of the coal-owners as to their expenses of working or transporting the coal?—Not at all.

2324. What is your opinion worth if you have no data to go on?—My opinion is formed merely from circumstances and conversation with my friends.

2325. Mr. *Pease.*] Does not your situation as a factor enable you to judge of the state of the pecuniary resources of your connexion?—No doubt of that, in some respects.

2326. The *Chairman.*] Have you ever seen the profit and loss accounts of any of the coal-owners?—Never, to my recollection.

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2327. How then can you state whether it has been a profitable concern?—Merely from the conversations that I have had with my various friends on the subject.

2328. You have been asked respecting the supply of best coals?—Yes.

2329. Do you not find the market always in the healthiest state when the buyer has the greatest choice?—I can scarcely answer that question; we can only know of the demand as to the particular sorts we have to offer for sale.

2330. Have you not stated, it frequently occurs that there are not sufficient coals of the best quality to answer the demand?—I have stated that there have been days when there has not been a sufficient quantity of the best coals to supply the demand.

2331. You admit at the same time there has been plenty of the best coals in the river?—Certainly.

2332. Then does not the present regulation of factors, which you have alluded to, produce that very inconvenience which you yourself complain of?—We might take more best coals for sale. I complain of our resolutions being altered.

2333. If those regulations did not exist?—Certainly, if the regulations did not exist.

2334. Mr. *Pease.*] If there has been a short supply on the Monday, is not that frequently remedied by the rotation system on the Wednesday, and when the shortness has been on the Wednesday, is it not frequently remedied on the Friday?—Yes; I dare say it has been, but there are days when we have had a short supply of best coals.

2335. Mr. *Bell.*] Before the existence of the factors' regulations, did you ever sell, for any continuance, the whole of the ships of the best coals that were at market?—We always attempted to do so, and too frequently at ruinous prices.

2336. Did you generally succeed?—We did not always; but I have seen a very large sale frequently, before the rotation system.

2337. You never cleared the market for a month together of the best coals, did you, each market day?—I dare say, at that period, the best coals were held over as well as inferior coals.

2338. Mr. *Pease.*] You say you are a ship-owner; is it your impression the ship-owners are satisfied with the regulations?—In some cases they are; there is a difference of opinion on that subject.

2339. Is it your opinion, generally speaking, the ship-owners prefer the factors' existing regulations?—There is a variety of opinion on that subject, particularly when a ship owner brings the coals on his own account and when he is on freight; he has immediately different views; in one case he is anxious to get a good price, and in the other case he is anxious for despatch.

2340. As a ship-owner, does it tend to the advantage of the shipping interest, or otherwise?—It tends to the advantage of the shipping interest, I should say, as my opinion.

2341. The *Chairman.*] Are there many of the factors who are owners of ships?—I should think there are a good many.

2342. Is there one-fourth or one-fifth, or one-tenth of the trade, or what proportion, belonging to the factors?—There are three or four factors who are extensive ship-owners.

2343. Do the ships owned by the factors bear any proportion to the whole?—A very small proportion.

2344. As to the supply of coals, brought to market by the factors and the ship-owners, what proportion does it bear to the general supply?—A very small one.

2345. You have stated, a ship-owner buying his own coals and selling them here and as a freighter, that he has a different interest; explain how that is?—In the one case he is the carrier, and in the other he has bought the coals on his own account; consequently, when he is carrier his only object is to get despatch for his ship; and when he has coal on his own account, he is of course anxious to get a good price.

2346. When he has the coal on his own account, he is quite satisfied to take his turn, and approves of the regulation of the factors; is that so?—Yes.

2347. Why does he approve of that; because it gives him an additional price?—Because he considers it his interest to do so.

2348. Do you mean by his interest that he gets a higher price for his coal?—Yes;

Mr. *William Metcalfe.*

24 June 1836.

—Yes; if all the coals were sold as they used to be, we should have the ruin and fluctuation we had in former years, which the public would get no benefit by.

2349. Do you mean to say if there was an open trade the price would be lower?—Yes, I do.

2350. Then if lower, how do you explain that the buyers would not have coals cheaper?—They would have them cheaper for a while, but it would be impossible for the trade to supply this metropolis at any thing like the price we had in 1833.

2351. Are you acquainted with the powers of supply in the north?—No.

2352. Mr. *Pease.*] Do you know cases of cargoes being sold that left nothing for the coals?—I dare say there have been many, and in 1833 less than nothing.

2353. Mr. *Bell.*] Were there great losses in many instances?—Yes; great loss before the present mode of sale.

Mr. *John Dale*, called in; and Examined.

Mr. *John Dale.*

2354. The *Chairman.*] WHAT are you?—I am a ship-owner.

2355. Where do you reside?—In Tynemouth, at the port of Newcastle.

2356. Have you many ships in the coal trade?—I have only two at present.

2357. Have you had more?—Occasionally four or five.

2358. Are you acquainted with the terms on which coals are carried to the London market?—Yes.

2359. Have you ever been a purchaser of coals as well as a freighter?—I have not been a freighter of coals.

2360. Do you always buy your own coals and send them to market?—I have let my ships out, but not freighted ships.

2361. State at what price you have been able to purchase the best coals within the last twelve months?—Twenty-six shillings and sixpence per chaldron for best Tyne coals; others in proportion.

2362. How do you pay your seamen's wages; is it by the voyage or by the month?—By the voyage.

2363. At what rate?—They are now paying 4*l.* per voyage.

2364. What were they in the winter?—Last winter they were five guineas.

2365. Can you give a statement of the average wages paid for the last eight years?—No.

2366. Has the demand of men for the navy within the last five or six months raised your freights?—Not at all.

2367. What has been the occasion of the rise in freights?—The general improvement in trade.

2368. Do you pay the same wages in a small as in a large vessel?—Decidedly, as far as I am concerned; how others may do I know not.

2369. Mr. *Pease.*] The wages you have stated are wages of seamen, and does not include any wages paid to the captain?—No, that is merely the crew.

2370. What have the profits of your purchases been?—I am sorry to say none at all.

2371. Have you kept any account of regular voyages?—Yes, very regular.

2372. Can you state what has been the amount per ton as freight, or how do you make out your account?—It is so much per ton; 7*s.* per ton gives so many tons and so much money; the expense of the voyage comes against that, together with insurance, and I am sorry to say there is very little left.

2373. Do you speak from the balance-sheets that have come under your inspection at the termination of each voyage, or from your year's balance-sheet as a ship-owner?—I speak from the year's balance-sheet.

2374. Can you give the Committee an idea of what, in your opinion, would make a ship-owner's business a fair remunerating business, at a price per ton from the Tyne to the Thames, taking the average of winter and summer?—I should think not less than 9*s.* per ton.

2375. How many voyages would you think it fair to estimate on the vessel making?—Not more than eight; but that depends on the size of the vessel.

2376. What sized vessel have you in your mind in answering this question?—One of 450 tons.

2377. The *Chairman.*] How many men do you reckon requisite for 100 tons of coals?—Something like four men; for a ship of 230 tons, nine men, including the captain and boys.

2378. How

Mr. *John Dale.*

24 June 1836.

2378. How many tons of coal do they turn out?—Three hundred and forty or three hundred and fifty.

2379. Mr. *Hector.*] How many men and how many boys?—The Act compels us to carry two boys, and that is all we are bound to have.

2380. Is not the rate of wages different to the men and boys?—Yes.

2381. Mr. *Pease.*] Are you aware of the system called the rotation system, for the delivery of ships in London?—Yes.

2382. Do you consider that system advantageous or injurious to the ship-owner?—Decidedly advantageous to the ship-owner.

2383. The *Chairman.*] Do you mean when the ship-owners are themselves the purchasers of coals, or when they are freighters?—Either way.

2384. Does it make no difference?—The prices are more steady and better in London in consequence of that, and thereby they get a steadier and more remunerative freight.

2385. Is it not the custom in the trade previously to accepting a freight, to estimate what profit will be lost on buying the coals according to the price then reported as obtainable in the London market?—Decidedly; if I want a freight, and I see the price in London is such as will not pay a certain freight; I then go into the market to ask for a freight, and if they do not give it, I wait until such time as I can get a protective one.

2386. Mr. *Pease.*] Is not the system alluded to for the interest of those who want freights as well as for those who wish to purchase?—Yes, quite so.

Mr. *Thomas Wood*, called in; and further Examined.

Mr. *Thomas Wood.*

2387. The *Chairman.*] YOU have been requested to prepare certain statements; have you been able to do so?—Yes, I have.

2388. State what they are, and deliver them in?—The first statement is a statement comparing the quantities of coals imported into London in the years 1833 and 1834, to ascertain the increase of the inferior coals; I have taken all the coals that are sold in the north at 22*s.* 6*d.*, delivered on board as the best coals; the result is, that in 1834 there has been a decrease of the best coals of 50,334 tons, and an increase of inferior of 122,707 tons.

2389. In what year?—In 1834 as compared with 1833.

[*The Witness handed in the same, which is as follows:*]

INCREASE and DECREASE of Best and Inferior COALS in *London*, comparing the Years 1833 and 1834.

COLLIERIES AND COALS.	1833: Tons.	1833: Newcastle Chaldron.	1834: Tons.	1834: Newcastle Chaldron.
1. Northumberland, W. E.	42,000		51,504	
2. Killingworth	69,993		67,418	
3. Burraton	3,367		137	
4. Bell, Robson & Co.	22,158		31,787	
5. Riddles, W. E.	46,424		35,064	
6. Coxlodge	—	—	—	
7. Newmarch, W. E.	50,920		49,018	
8. Gasforth, W. E.	32,746		56,717	
9. Hetton, W. E.	36,513		38,399	
10. Ellison's, W. E.	—	—	—	
11. Hebburn Main	42,451		30,428	
12. Hotspur	32,283		40,672	
13. Brown, W. E.	34,313		29,110	
14. Hilda, W. E.	47,837		45,889	
15. Bewicke & Co.	36,862		58,582	
16. Walker, W. E.	14,445		16,075	
17. Bell & Brown's	18,977		11,746	
18. Willington	10,044		8,442	
	542,421	204,687 $\frac{9}{33}$	570,988	215,467 $\frac{9}{33}$
	Increase of Best		28,567	
			542,421	

INCREASE

Mr. *Thomas Wood.*

24 June 1836

INCREASE and DECREASE of Best and Inferior COALS in *London*, comparing the Years 1833 and 1834.

WEAR.

COLLIERIES AND COALS.	1833: Tons.	1833: Newcastle Chaldron.	1834: Tons.	1834: Newcastle Chaldron.
1. Lambton, W. E.	81,461		120,486	
2. Ditto, Primrose	60,057		34,954	
3. Nesham	—	—	—	
4. Stewart's, W. E.	196,935		113,840	
5. Eden Main	1,367		4,845	
6. Hetton, W. E.	226,297		186,510	
7. Lyon's, ditto	30,642		27,991	
8. Russell's Hetton	30,691		20,369	
9. Ditto - Lyon's	5,298		10,546	
10. Braddyll's Hetton	10,693		12,316	
11. Ditto - Richmond	—	—	—	
12. Russell's	521		1,197	
	644,234	243,107 $\frac{9}{33}$	533,074	201,160
Best in 1833			644,234	
Decrease			111,160	

TEES.

1. Musgrove's, W. E.	5,892		6,527	
2. Tees, W. E.	69,184		68,816	
3. Butterknowle	8,898		4,062	
4. South Durham	16,550		37,565	
5. Peirse's, W. E.			2,912	
6. Gordon, W. E.	18,598		25,166	
7. Adelaide	34,032		27,672	
	153,154	57,793 $\frac{21}{33}$	172,720	65,177 $\frac{12}{33}$
Best in 1833			153,154	
Increase of Best			19,566	

RESULT of the foregoing CALCULATIONS, comparing 1833 and 1834.

	Total Importation in 1833.	Total Importation in 1834.	Total Increase.	Total Decrease.	Increase of Best.	Decrease of Best.
Tyne	1,061,147	1,142,373	82,226			
Wear	664,383	557,280		107,103		111,160
Tees	170,187	209,018	39,813		19,566	
Blythe	48,689	64,268	15,579			
Scotch	15,138	39,487	24,349			
Yorkshire	16,050	17,139	1,089			
Welch	28,416	31,025	3,609			
West Hetton		12,693	12,693		12,693	
	2,003,010	2,064,283	179,476	107,103	60,826	111,160
Deduct Increase			107,103	Deduct Increase		60,826
Total Increase			72,373	Total Decrease, Best		50,334
				Add Net Increase		72,373
				Total Increase of Inferior		122,707

The above Account comprises all Coals as Best Coals, which are sold in the north at and above 22 *s.* 6 *d.* per Newcastle chaldron on board.

Thomas Wood.

Mr. *Thomas Wood.*

24 June 1836.

2390. Will that statement which you have given in show the different kinds of coals on which the increase or decrease has taken place?—It shows the different kinds of best coals, but I have taken it merely on the total of inferior coals, not the increase of any particular inferior coals. The next statement is a comparison of 1833 with 1835, and the result of that statement is upon the same basis that there has been an increase of the best coals in 1835 as compared with 1833, of 66,427 tons, and there has been an increase of inferior coals of 225,117 tons, making the total increase 291,544 tons.

[*The Witness handed in the same, which is as follows*:]

INCREASE and DECREASE of best and Inferior COALS in *London*, comparing the Years 1833 and 1835.

TYNE.

COLLIERIES AND COALS.	1833: Tons.	1833: Newcastle Chaldron.	1835: Tons.	1835: Newcastle Chaldron.
1. Northumberland - - W. E.	42,088	15,882 14/53	45,592	17,206 32/53
2. Killingworth - - - -	59,993	26,412 24/53	78,984	29,805 15/53
3. Burraton - - - -	3,367	1,270 39/53	1,976	1,745 35/53
4. Bell, Robson & Co. - -	22,158	83,644 28/53	26,367	9,949 48/53
5. Riddle's - - - - W. E.	46,424	17,707 9/53	38,111	14,381 27/53
6. Coxlodge - - - -	—	—	—	—
7. Newmarot - - - W. E.	50,920	19,215 15/53	44,722	16,876 12/53
8. Gasforth - - - W. E.	32,746	12,356 52/53	54,962	20,721 27/53
9. Hetton - - - - W. E.	36,513	13,778 26/53	48,833	18,804 48/53
10. Ellison's - - - W. E.	—	—	—	—
11. Hebburn Main - - -	42,451	16,019 13/53	16,168	6,101 7/53
12. Hotspur - - - W. E.	32,283	12,189 2/53	52,418	19,780 29/53
13. Brown - - - - W. E.	34,313	12,946 22/53	30,948	11,678 26/53
14. Hilda - - - - W. E.	47,837	18,051 37/53	50,710	19,079 13/53
15. Bewicke & Co. - - -	36,862	13,910 10/53	64,847	24,470 29/53
16. Walker - - - - W. E.	14,445	5,450 50/53	23,537	8,884 30/53
17. Bell & Brown's - - -	18,977	7,161 7/53	13,536	5,107 49/53
18. Willington - - - -	11,044	4,167 29/53	17,210	6,475 25/53
	542,421	204,687 9/53	608,921	229,781 17/53
			542,421	
		Increase of best Coal in 1835 over 1833 -	66,500	

WEAR.

1. Lambton's - - - W. E.	81,461	30,740	157,750	59,520 40/53
2. Ditto, Primrose - - -	60,057	22,663 1/53	10,144	3,827 19/53
3. Nesham - - - - -	—	—	—	—
4. Stewart's - - - E.	196,935	74,315 5/53	135,717	51,213 51/53
5. Eden Main - - - -	1,367	496 29/53	270	101 47/53
6. Hetton - - - - W. E.	226,297	85,395 16/53	199,852	75,415 45/53
7. Lyons - - - - W. E.	30,642	11,563 1/53	4,915	1,849 3/53
8. Russell's Hetton - - -	30,691	11,583 21/53	22,491	8,487 9/53
9. Ditto - Lyons - - -	5,298	1,999 13/53	11,995	4,526 29/53
10. Braddyll's Hetton - - -	10,963	4,136 29/53	49,805	18,681 7/53
11. Ditto - Richmond - -	- - - -	- - - -	2,379	897 39/53
12. Russell's Lyon Main - -	521	196 32/53	566	213 31/53
	644,234	243,107 9/53	595,864	224,854 30/53
	595,864			
Decrease of Best -	48,370			

Increase

c383

Increase and Decrease of best and inferior Coals in *London—continued.*

TEES.

COLLIERIES AND COALS.	1833: Tons.	1833: Newcastle Chaldron.	1835: Tons.	1835: Newcastle Chaldron.
1. Musgrove's - - - W. E.	5,892	2,223 $\frac{21}{53}$	15,130	5,709 $\frac{23}{53}$
2. Lee's - - - - W. E.	69,184	26,107 $\frac{9}{53}$	65,830	22,954 $\frac{38}{53}$
3. Butterknowle - - -	8,898	3,352 $\frac{4}{53}$	5,453	2,057 $\frac{29}{53}$
4. Ditto - Durham - -	16,550	6,245 $\frac{15}{53}$	36,925	13,933 $\frac{51}{53}$
5. Pierce's - - - - W. E.	—	—	—	—
6. Gordon - - - - W. E.	18,598	7,018 $\frac{6}{53}$	21,580	8,143 $\frac{21}{53}$
7. Adelaide - - - - -	34,032	12,842 $\frac{14}{53}$	18,527	7,368 $\frac{36}{53}$
	153,154	57,793 $\frac{51}{53}$	163,445	61,677 $\frac{19}{53}$
			153,154	
	Increase of best Coal -		10,291	

Result of the foregoing Calculations, comparing 1833 and 1835.

	Total Importation in 1833.	Total Importation in 1835.	Total Increase.	Total Decrease.	Increase of Best.	Decrease of Best.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Tyne - - -	1,060,147	1,266,300	206,153	- -	66,500	—
Wear, deducting Haswell - -	664,383	614,574	- -	49,809	- - -	48,370
Tees, deducting West Hetton and Hartlepool - -	170,187	206,859	36,672	- -	10,291	—
Haswell - -	- -	14,980	14,980	- -	14,980	—
West Hetton - -	- -	18,670	18,670	- -	18,670	—
Hartlepool - -	-	4,356	4,356	- -	4,356	—
Blyth, &c. - -	48,689	65,046	16,357	—	—	—
Scotch - - -	15,138	40,955	25,817	—	—	—
Yorkshire - -	16,050	27,394	11,344	—	—	—
Welch - - -	28,416	35,420	7,004	—	—	—
	2,003,010	2,294,554	341,353	49,809	114,797	48,370
		Deduct decrease	49,809	Deduct Decrease -	48,370	
		Net Increase -	291,544	Increase of best -	66,427	
				Increase of inferior -	225,117	
				Total -	291,544	

2391. What rate of increase does the best coal bear to the rates of increase of the inferior for same period?—In 1834, the total increase of inferior coals, compared with the total increase of all kinds, is 138 per cent. The increase of best in 1835, as compared with the total increase, is 23 per cent.; and the increase of inferior in 1835, as compared with the total increase, is 77 per cent.

2392. Have you a statement of the estimate of expense of sinking a colliery?—I have here an estimate of sinking a colliery under given circumstances.

[*The Witness handed in the same, which is as follows:*]

Mr. *Thomas Wood.*

24 June 1836.

ESTIMATE of the Expense of Sinking a COLLIERY upon a Scale to work 100,000 Newcastle Chaldrons annually from two Seams of Coal, one lying at forty and the other at seventy fathoms below the surface.

	£.	s.	d.
Expenses of sinking a pit 15 feet diameter	1,400	–	–
Ditto - 12 feet 6 inches - ditto	960	–	–
Brattin for both pits	1,440	–	–
Walling for ditto	360	–	–
Tubbing for ditto	5,100	–	–
One pumping engine, including pump, &c.	4,000	–	–
Four coal drawing engines	6,400	–	–
Screens, &c.	1,200	–	–
Underground stock to start the colliery	2,000	–	–
Locomotive engines	2,400	–	–
Coal waggons	6,600	–	–
Workmen's houses	8,000	–	–
Agents' houses, &c.	1,000	–	–
Railway three-quarters of a mile	3,000	–	
Agencies, incidental charges, &c.	3,000	–	–
Contingencies	3,140	–	–
£.	50,000	–	–
Of the above sum there may be in stock, which at the end of the term may be saleable, but it may be reduced one-third in value £. 22,400 – – / 7,400 – –	15,000	–	–
Leaving to be redeemed in 21 years	35,000	–	–
£. 980 yearly, in 21 years, at 5 per cent., will amount to £.	35,000	–	–

And 980*l.* a year, upon the vend of 75,000 chaldrons of large coals, yearly, is 3¼*d.* per chaldron, or 1½*d.* per ton. *Thomas Wood.*

2393. Mr. *Bell.*] Are you aware of any cause which has increased the consumption of inferior coals?—I conceive the regulation of the vend has increased the consumption.

2394. Is there nothing independent of the regulation?—I am not aware of any other cause.

2395. Has not the relative value of inferior coal been higher for the last two years than before?—I think not; I have heard it complained of that the relative value has been lower.

2396. The *Chairman.*] As you have given opinions on the effect of the regulation on the prices of coals at London and in the North, I wish to ask you whether there is an Act of the 28th of George the Third, c. 53, which prohibits above five persons in number from entering into partnership for the purpose of dealing in coals?—I was not aware of such an Act.

2397. Are you aware of this clause in the Act, "And whereas a certain number of Coal Buyers have formed themselves into a society, and held private meetings at the Coal Exchange in the city of London, professing to make regulations for the purpose of carrying on the trade in coals, which regulations may have a tendency to prevent the said trade from being free and open; be it further enacted, by the authority aforesaid, that from and after the 1st of June 1788, any number of persons united in covenants or partnerships, or in any way whatsoever consisting of more than five persons, for the purchasing of coal for sale, or for making regulations with respect to the manner of carrying on the said trade in coals, shall be deemed and adjudged to be an unlawful combination to advance the price of coals, and every person concerned therein shall be liable to be punished by indictment," &c.?—I was not aware there was such an Act.

2398. From your knowledge of the trade generally, what would be the effect of removing that and every other impediment to the free and general trade of coal?—I think the best effect would flow from the most unrestricted and free exercise of every man's discretion in conducting his own trade.

2399. Do you apply that opinion to the place of sale, as well as the place of purchase?—Undoubtedly I do.

2400. Mr. *Pease.*] You have stated you have no means of ascertaining what the relative demand for the different class of coals will be at the present moment as compared with 1833?—I have no means of ascertaining that.

2401. Are you aware whether the inferior class of coals are used for steam-boat and steam-engine purposes?—There are coals used for that particular purpose; but I should scarcely comprehend these under the inferior coals; Tanfield Moor is a bad coal as a housekeeper's coal, but as a smith's coal it commands a price equal to the best.

2402. Did you ever know the Tanfield Moor mine coals used for steam-engines?—No, the West Hartle is in the most request for those purposes.

2403. If you were told the Scotch coal was preferred for steam-engine purposes, would you not consider the inferior class of coals was the nearest like those coals?—I am not sufficiently acquainted with the Scotch coals; I only know them by seeing them; I have not tried them by burning.

2404. Do you consider them equal to your best coals on the Wear?—Certainly not; I should consider them scarcely equal to the worst in many cases.

2405. I understood from your examination on a previous occasion, you considered the coal-owners succeeded by their regulation, in forcing an extravagant profit on their article?—I stated, as far as regarded the best coals, that the profit was raised beyond that which the Hetton colliery, as one of the producers of that coal, considered a fair remunerative profit; and I gave in the resolution to that effect.

2406. It is your opinion the price of the best coals leaves the coal-owner an extravagant rate of profit?—Yes, a higher rate of profit than I think any other trade ought or does produce; I speak with reference to two collieries with which I am acquainted.

2407. You state at one time the Hetton colliery could not be considered to be under the best of management?—I did not state that; I stated at one period the coals cost 24*s.* producing, that subsequently they had been reduced in the production to 17*s.* 6*d.*; that must have been partly caused in the management by adopting a new mode of working the coal, and I stated as one part of the new system, the working of pillars and abandoning the old system of keeping up extensive wastes.

2408. You state it was owing partly to the management?—It was composed of many items; but without referring to papers, which I have not at present, I cannot say what they were; it was a subject I had occasion to pay a particular attention to during the low price of coals.

2409. At the time you left the concern, do you think it was under good management?—That would be paying a compliment to myself; I do not give an opinion on whether it was managed well or not; management is rather a wide term; a management may be evil when the particular parts of that management may be good; a management under a deed of settlement may be bad, while the particular management may be good.

2410. Have you any objection to state what you apprehend to be the investment of capital on the Hetton?—I have no objection to state it, personally; but I think I ought not to be the person to state it.

2411. Does your statement, that the profits are excessive, apply to one given year, or the average of a given number of years?—To all those years during which they have been in a regulation; certainly not to those years when there has been no regulation.

2412. Should you say, taking into account the contingencies of non-regulation, and the settlement among the work-people, that the proprietors of Hetton colliery have received more than a fair remuneration for their investment?—I conceive the regulation has been the cause of the unsettlement of the workmen; and without that regulation we should have had no strike. [*The question is repeated to the Witness.*]—The original proprietors have certainly received a very high rate of interest for their investment, notwithstanding all these circumstances.

2413. Do you suppose they have received 20 per cent.?—I decline to give an opinion on what they have received, as I do not think it fair to divulge their secrets.

2414. Have I not taken wide enough limit to prevent that difficulty?—I should say you have not scarcely taken limit enough; but I think it is hardly fair to ask that question.

2415. State it generally?—My evidence is confined to particular collieries, and I cannot speak generally; but I do state generally, from my knowledge of those collieries, that it is more than a fair remuneration during the years of regulation.

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2416. Have you ever been called on to value collieries?—Yes.

2417. What rate of profit have you allowed in that valuation?—That has depended on circumstances, varying as low as 12 up to 20 per cent. Some collieries, I should think, would be very lowly valued indeed if valued at 25 per cent. profit on the then existing state of the colliery. We do not take into consideration the original capital in valuing a colliery.

2418. That is entirely independent of the original capital?—Yes; all the valuations proceed on the supposition of profit to be made by that colliery, without reference to what it may have cost sinking; and I have had nearly 100 valuations through my hands.

2419. Do you think it is a fair way of estimating a coal-owner's profit, to leave entirely out of consideration what the investment originally had been?—I think it a fair way of estimating a coal-owner's profit, for the person who wants to be acquainted with what he can make of the money he is about to invest—[*The question was repeated to the Witness.*]—With reference to the coal-owner's profit, the first cost ought to be considered. With reference to a bargain and sale between one person and another, the present condition ought to be looked at.

2420. You have alluded to collieries being valued to leave, according to certain contingencies, 14 to 20 per cent. on the purchase-money; do you conceive that that valuation affords the Committee an idea of the average profit received on speculations in the north?—I have no means of knowing what has been received, as an average.

2421. Do you conceive it impossible to give an opinion?—I conceive it impossible for any one individual to do so. I have heard opinions given, but I have always thought it would be impossible for any one individual to give it correctly. I am not able, nor should I think any other single individual able to do so.

2422. If a balance-sheet was struck on any given day, in any given year, at a colliery, and any person came in on the valuation contained in that balance-sheet, would he not have a right to calculate his profit on the sum so paid?—No, he must calculate on the contingencies of his purchase; it is matter of speculation.

2423. He would not have a right to estimate his profit on the sum so paid, as a per centage?—I say not, unless that sum is such a sum that he is convinced, under the circumstances, would leave a fair profit.

2424. The question is not whether the calculation is a fair one, but whether he is not to estimate his profit on the per centage of the sum?—Certainly not.

2425. At what rate do you estimate the profit, when you speak of a certain profit per cent.?—On the probable quantity of coals to be sold, in the first place; the probable price to be obtained, in the next place, for them; the probable expense of working those coals, and the probable profit that would be made, under all the circumstances connected with that colliery.

2426. You are speaking of estimates by anticipation; when you draw your balance, how do you calculate that profit on a per centage?—If I was an original proprietor, I should calculate my profit on the sum invested; if I were a purchaser, I should calculate it upon the purchase-money I had paid. The rate of per centage would differ, whether I was an original purchaser, or a purchaser subsequent to that; presuming the price I paid for the share subsequent was more or less than the shares were originally. I have known instances occur both ways.

2427. If it has been stated that parties coming fairly in under a valuation, at Hetton colliery, as owners for the last three years, have not received eight per cent., would you say that was incorrect?—I cannot give an opinion on a supposition of that kind, because it depends entirely on the discretion of the man who buys as to whether he is content with eight per cent. or not. I would not be content with eight per cent.

2428. Have you any objection to state at what price you disposed of your share in the Hetton colliery, as named in your former evidence?—At the rate of 324,000*l.* for the whole colliery.

2429. Have you any objection to state at what rate of profit you consider that sale left to the purchaser?—It is so recent that it will depend on events yet to be developed.

2430. Supposing that the price of coals was reduced 4*s.* per chaldron, and which on the Hetton vend of 110,000 chaldron would amount to 22,000*l.*; do you still think the buyer of your share would have a fair profit?—I stated when I proposed

I proposed to reduce the price of coals, I anticipated an increase of from 110,000 to 150,000 chaldron, which would leave a very handsome profit, because they would work their coals cheaper in the first place, and the extended quantity would afford them a very fair profit on that valuation.

2431. You think the reduction of 22,000*l.* on the present rate of profit would be a serious detriment to such profit?—I do not say it would be a serious detriment, it would be something like seven-and-a-half per cent.; I should not be content with that; but there are parties who invest their money who would be content with that. My supposition that 24*s.* 6*d.* and 20*s.* 6*d.* are fair prices, proceeds on this ground; that by an extended quantity, which the collieries producing the better class of coals would obtain, that they would make as much profit as they ought in any one given year; that their profit would be steady, their income would be steady, and a steady limited income I conceive better than a large fluctuating income.

2432. The Committee understand, although you calculated on a diminished amount of profit on the quantity now sold, that you anticipated an increase of sales which would adjust the difference, or nearly so?—Not adjust the difference, but would make it a greater profit than the reduction on the quantity sold under the regulation.

2433. Did you not estimate on the average of the year it would adjust the profit of a concern?—I estimated on an average of 21 years, that I conceived on an average of years they would make as much money as by the system which had obtained of having very high prices during the regulation, and then contentions among themselves every two or three years, thus reducing the price to sometimes below a remunerative point.

2434. You speak of reducing the price below a remunerating profit; do you consider that an open trade would leave a remunerating profit?—Yes, I think it would, if it was persevered in.

2435. Have you assigned any length of time in your own mind as the period required to work things round into the state which you anticipate?—That is quite impossible for me to assign any time for, because it depends on circumstances that I have no means of knowing; on the opinions and feelings and interests of individuals.

2436. In calculating upon a great extension of sales from these collieries, do you make that calculation under the impression of a great increase of consumption, or of certain collieries more favourably situated, ingrossing the trades of others under different circumstances?—Not so much on any great increase of consumption, although I consider the increase of consumption is steadily advancing, and perhaps that is not fairly indicated in the accounts we see here yearly; but my assumption was, that the coals comprised in classes as numerous as 60 (I have taken two or three and forty in the classes I have given in) would supply the coal that is now engrossed by 80 or 90; that the inferior class of collieries that scarcely give at the high prices now a remunerating profit would go out of the trade as they have done before, and have been again resumed.

2437. Are you aware that it has been stated to this Committee, that notwithstanding the great reduction that took place on several collieries, that they still had some return towards profit?—No, I have not heard that stated.

2438. Do you consider that it is in the power of any particular class of collieries to extend their trade, and obtain such profits as you calculate on, without calling into existence fresh collieries?—That is precisely what I wish to do; to call into existence fresh collieries, as I think it is the only means of keeping the prices steadily moderate.

2439. Do you consider that a regulated trade has had the effect of calling into existence new enterprizes, or otherwise?—I think it has; hence I conceive to arise the fact that the regulation began eight or nine years ago at 36*s.* 6*d.*, and now cannot be maintained at 28*s.* 6*d.*, and that is from an increased competition which high prices have produced; I may instance, collieries have been resumed that had been laid in.

2440. Do you mean to say that that competition has sprung up within the district comprised in the regulation, or in other districts?—In both perhaps; certainly I should say in districts that have been opened out by public railways during the last eight or nine years; chiefly in Durham.

2441. If there had not been what may be termed a foreign competition, those parties being stated to be parties to the regulation, what difficulty would there be

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in obtaining the same prices as the highest you have assumed?—I say the public have no security against the coal-owners obtaining the highest price that they have ever obtained, but the free and unrestricted competition which would be produced, if the prices were materially advanced, and that competition could only be secured by the fullest and most liberal exercise of the powers invested in Parliament in opening out by railroads of new districts to be brought into competition with the old.

2442. You think the present district quite unequal to raising that competition?—I do not say quite unequal.

2443. Are you of opinion there is no probability of this new district coming into the regulation?—I have no means of knowing that.

2444. Is not your assumption, there is no probability of their coming into the regulation?—It is not; because I conceive if they were to come into a regulation this result would follow, that the quantity of coals to be vended by the larger collieries would be so materially reduced, compared to the extent of their establishments, that they would be the parties who would not enter into the regulation.

2445. In that case do you calculate on this new district being able to wage that competition, or not?—I have no means of knowing that; the only secure means the public appear to me to possess, of preventing very high and extravagant prices, is the unrestricted competition of all the coal districts that can be opened out.

2446. I suppose you are perfectly aware, that the coal districts already opened out are equal to the supply of five or six times the quantity sold?—I do not think that to be the case.

2447. State what are the capabilities of working, or what might be within two or three years, in a district eight miles round your own colliery?—I must first know the capital to be expended on that district.

2448. Is there not the power of opening out what may be termed an unlimited bend in the districts, now approached by public and private railways?—There is a power of extending it very materially; that extension depending on the quantity of capital that would be laid out in it.

2449. Are you aware that on investigation of the powers of the colliery, that those powers are equal to more than double the rates of sale?—I am not aware of that, and I do not believe it with regard to some collieries.

2450. If several professional eminent men have valued these collieries, and taken that account, you do not believe it is correct?—There may be particular collieries; in some cases I know it is not.

2451. If they state the aggregate to be as has already been stated, you do not think it is correct?—I think they are under some mistake.

2452. You still think that it is necessary to open out further fields?—I do not say it is necessary; I say it is the public's best security.

2453. Do you not say it is the only security?—I think it is the only security; I do not refer to the next year, or the year after; but for the public security generally.

2454. You conceive the price at which coals can be furnished from Wales, Scotland, Yorkshire or Staffordshire, has no effect in keeping down the price of coals in Northumberland and Durham?—They would, provided the prices in Northumberland or Durham ranged above a certain pitch.

2455. Have you the means of knowing whether a small advance would not have the effect of bringing those coals at once into competition in the London market?—It would a certain portion; I am speaking more particularly as to the Yorkshire coal; I merely speak of the information given me by a coal-owner of that district.

2456. You adhere to the opinion, facilities must be extended in Northumberland and Durham?—I did not limit my answer to Northumberland and Durham, but intended my answer to apply all over the kingdom.

2457. And you think the competition, at present, is not sufficient to secure that?—I say the present competition, if it can be called a competition, has secured the prices too high in my opinion.

2458. Is not the competition sufficient to secure the public against any further considerable advance?—I cannot give an opinion on that, whether it is or not.

2459. Your colliery, at Thornley, is not in the restriction?—It is not.

2460. I see on Monday, May 23, 1836, Hartlepool Wallsend coals, which I understand

understand to be yours, are stated as sold at 21*s.* 3*d.* a ton?—I have the sales of that ship with me.

2461. State what price, per chaldron, is left for the coals?—I have the return as to that ship, and by that return it appears that it left for the coals, 29*s.* 0¾*d.* per Newcastle chaldron.

2462. Were those coals sold in London?—Yes.

2463. Were those coals sent as freight by you or sold?—We send all our coals on freight; we do not sell any coal to the ship-owner.

2464. In that case, you get the advantage of the highest price for the coals, and what in other circumstances (that is to say, on the sale of the coals) would have been a part of the ship-owner's profit?—If the ship-owner had paid 28*s.* 6*d.* he would have received the difference between that sum and the price actually realized on that market day.

2465. Has it ever struck you, in pursuance of your opinion that 28*s.* 6*d.* was too high a price, and as your vend was never restricted, whether there would not be a propriety of putting your coals at a lower price and selling them?—We cannot, according to the present mode of sale.

2466. Can you not sell at any price?—We do not choose to sell the coals which come to the London market to the ship-owner; we think the ship-owners ought to have nothing to do but to carry the coals; and I have prevailed on the Thornley Company to adopt my views on the subject, and I am happy to say, that it has turned out very well.

2467. You stated in your former evidence, although there would be nothing in the shape of combination, ultimately there would be a kind of self-imposed regulation in the sale of coals?—I think if they were reduced to the lowest fair remunerating price, that that would be the best regulation in the world; that there would be then no fear of a competition reducing them ruinously low.

2468. What security could you offer to the public when the number of collieries were reduced, that no regulation similar to what has existed, with little interruption, for the last 60 or 70 years, would be resumed?—As far as my experience of interruptions in the coal trade goes, it never has continued three years without interruption; the security I should offer would be, that the districts which had other coals to supply, as soon as ever the price got up, to remunerate them for producing them, would immediately produce them. The owner of a coal-field would be naturally anxious to make something of it if it could be made, and he would be limited purely by the consideration whether he could sell to a profit or not.

2469. You consider although the number of collieries would be reduced according to your own apprehension, that it would be more difficult to raise a regulation with a smaller number than a larger?—I do not give an opinion as to that; I say the interest of the coal-owner would be, to keep the prices so moderate that that would be the regulation.

2470. Is not that their interest at the present moment?—I conceive it is so; and it would continue to be their interest.

2471. Do you suppose you will make them believe that?—I believe some of them do; I have heard many say they believe it would be their interest, who are in the regulation.

2472. Is not the regulation quite voluntary?—I am aware of it.

2473. How do you account for such palpable inconsistency?—I have heard it stated by a gentleman, who is the sincerest advocate for the regulation, that his reason for continuing in it is, that he knows it must be broken up in a year or two, and he must make as much as he can in that time.

2474. Has that not been the assertion for the last 50 years?—I can only speak that it has been for the last 10 years.

2475. How much nearer in time are we to that event now?—I cannot answer as to the time; but the difference is between 36*s.* 6*d.* and 28*s.* 6*d.*

2476. How do you apply your last answer?—That whereas on a former occasion they were only content to regulate at 36*s.* 6*d.*, they are now, from competition, content to regulate at 28*s.* 6*d.*, and they will see it their interest to regulate at 24*s.* 6*d.*, so that they are gradually approximating from the extreme high price they were once content with; first down to 34*s.* 6*d.*, next down to 32*s.* 6*d.*, then down to 28*s.* 6*d.*, which they are apparently content with.

2477. Do you know any one trade in existence which can be carried on at the

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the rate of profit that those collieries would obtain?—I am not aware of the profits of other trades.

2478. You are unable to say whether it is possible for any parties to continue in this country to trade, to realize 15 to 20 per cent. profit?—I do not know; I cannot give an opinion on that which I do not know.

2479. Your objection to the restriction has always been, that it interfered with the interest of some of those large and more flourishing collieries?—I do not say that that has been my objection; my objection has been, that it created a great fluctuation in the price of coals; during the regulation they were unnecessarily high, to remunerate the best coal-owners; and that during the fighting trade, when there was no regulation, that they fell to such a lamentable low price, that no one scarcely received any profit. I have myself witnessed, on many occasions, parties who have been seriously injured by those fluctuations; that is my objection to the regulation.

2480. Calculating on the 24*s.* 6*d.*, you have calculated on there being no interruption from any attempts at regulation, nor from interference on the part of the work-people?—My calculation of 24*s.* 6*d.* and 20*s.* 6*d.* is founded on existing facts, as to labour on the one hand, and materials on the other; if either of these should diminish or increase, or if new modes or superior methods of working should be adopted, I should say that they must arrange their prices to meet those altered circumstances.

2481. You consider the average profit would be greater than what it has been?—I do not know it would be greater; but I think, in 14 or 21 years, that the owners of the better class of coals I formerly named would receive as much as they have done.

2482. Do you think if the price of coals could be reduced 2*s.* or 3*s.* a chaldron below your rate, and the consequence was that only ten or twenty coal-owners had then the supply of the market, that that would be a safe state of things for the community?—I do not think such a permanent reduction (unless it was a reduction arising from the circumstance I have stated) would be either of advantage to the community or the parties engaged in it. I state, as the point I conceive would fairly remunerate the coal-owners, for their capital invested, 24*s.* 6*d.* and 20*s.* 6*d.*; then I say, circumstances may so alter it as to make a reduction of 1*s.* or 2*s.* imperative, or the profits would be too great, and they would then become what I now object to. On the other hand, by the rise in the price of labour and materials during a war, it would be necessary to enhance that price; I happen to be old enough to know the prices of rope have varied as much as from 120*l.* to 30*l.* per ton. My opinion, as to 24*s.* 6*d.* and 20*s.* 6*d.*, is not founded on the supposition, under all circumstances it would be right; it must be varied under the varying circumstances under which coals are produced. I would wish to add, I think the public only ought to be satisfied if they know they have their coals at a fair profit, under the existing circumstances at which they are produced.

2483. If the ship-owner, buying his coals at 28*s.* 6*d.*, does not receive a fair freight, the coal-buyer in London obtains his coals at a less proportionate rate than 28*s.* 6*d.*, I presume?—Undoubtedly; if the ship-owner does not obtain the fair rate of freight; what I complain of, and always have complained of is, that the ship-owner should be anything but a carrier.

2484. You calculate the present price of coals taken to the consumers' cellars in London being 32*s.* per ton, that according to your reduction he might hope to receive his coals from 1*s.* to 18*d.* less?—I say the reduction, as far as the coal-owner is concerned, would be to that extent; but I did not limit the benefit to the public to that reduction; I stated this, that it would decrease the quantity of inferior coals sold as housekeepers' coals.

2485. The parties now buying the best coals would be entitled to expect a reduction of 18*d.* a ton?—Yes, or upwards. I think he would obtain something of a general reduction if the ship-owner was a carrier merely. I conceive a ship-owner would carry for a steady and regular freight lower than he would carry for a fluctuating freight, a freight that depends on the contingency sometimes of the wind or weather.

2486. Are you one of those who apprehend that the returns of the prices at which coals are sold on the London market are not correct lists?—I have been told that, as far as regards the better class of coals, they may be, generally speaking, relied on; but with regard to the inferior class, I have been told that these

resolutions

resolutions have been come to by the factors themselves :—first, that no person should insert a name of a coal in their list that was not in existence, showing that names had been inserted that were not in existence ; secondly, that no person should be allowed to insert a price that was not the actual price of the coal on the day it was sold, showing that there was apprehension that such things had taken place.

2487. You have no means of knowing any expedients that have been resorted to to falsify these lists ?—I have no means but by being informed by parties whom I would not like to name, from the injury they might sustain by it.

2488. Has it left any doubt on your mind, unfair means have been used to put the prices in that list higher than ought to have been given ?—That is the impression on my mind from the information I have obtained ; I limit it, as it has been in conversation I have had with individuals connected with the coal-market, to the inferior class of coals. I think all coal-merchants and coal-factors I have spoken to on the subject, agree that the better class of coals are generally returned fairly.

2489. In supposing a greater quantity of good coals would be brought into the market, you have not calculated any injury would possibly arise to manufacturers or limeburners, or consumers of gas coals ?—I think not ; I can conceive no possible injury that could arise to them.

2490. You are aware that it would be necessary for those interests, that a certain number of collieries, able to furnish an adequate supply, should still, if possible, be kept in existence ?—They would give such a price as would induce those collieries to be kept in existence.

2491. Any serious enhancement of price would be a serious injury to that branch of trade ?—Yes ; not a greater injury than is inflicted upon the British manufacturer under the regulation of vends, which prevents him buying small coals as cheap as small coals are sold to go foreign or over sea.

2492. There are many departments of trade in which they would not be inclined to use best coals ?—There are many.

2493. Are you aware whether the coal-owners would refuse to sell small coals, if they could obtain a price equal to the profit they obtain on their best coals ? —They would not ; but that price I conceive to be so much higher than they would obtain for them over sea, that it is the very point which creates the evil to the English consumer.

2494. Is the evil to the English consumer, that he is unfairly treated in having to pay a higher price for coal than they are paid for abroad ?—Yes ; the coal-owner will sell under all circumstances, during a regulation, his small coals to go foreign (because they do not come into the vend) for a lower price than he would sell them to go to the English coast.

2495. Do you know any manufacturer or merchant, the expense of his establishment being assumed to be the same, who accepts a lower rate of profit for any adventitious addition to his trade ?—That is precisely what I wish to state. The addition which he obtains by selling them, however low, to the foreign consumer, is all extra profit, and he is therefore induced to sell them low, of which the English consumer of small coals may fairly complain, because he cannot get them at that rate.

2496. I understand clearly you assume that the public would be supplied with coals at 4*s.* a chaldron less, provided the result should prove that that price could be steadily maintained ?—Yes, undoubtedly, under circumstances similar to the existing circumstance of production.

2497. In your calculation, have you assumed a certain number of collieries being able to increase about one-third ?—Yes.

2498. How many ?—Seven collieries on the Wear.

2499. Do you conceive any changes in work-people, from one place to another, or any breaking up of existing establishments, is a matter to adjust itself in a period of time ?—I do not see why it should not.

2500. Of course, admitting there would be great mischief in the interim ?—There would be great ruin to many parties who have speculated in collieries, in which they never ought to have speculated if they had been prudent men.

2501. Do you wish to intimate to the Committee an opinion, that other collieries, besides Hetton, have made extravagant profits ?—I cannot give an opinion on that ; I have heard profits quoted as to other collieries which did appear to me extravagant.

Mr. *William Horne*, called in; and Examined.

Mr. *William Horne.*

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2502. Mr. *Bell.*] HAVE you any return to produce?—I have a return of the day on which the weighers of the coal-meters' office commenced the delivery of ships, in the month of June and October in the year 1835, and the day on which such ships were respectively cleared out.

[*The Witness handed in the same. Vide* Appendix.]

2503. Mr. *Pease.*] Are you extensively engaged as a coal-merchant in London?—I am.

2504. Is it your opinion that the market is inadequately supplied with the better and best quality of coals?—No, it is not.

2505. Do you think, on the average, the supply is equal to the demand?—I think it is, generally.

2506. Is there a greater irregularity in that supply, under what is called a regulated trade, than in an irregulated trade?—I think there is greater regularity with a regulated trade.

2507. Do you think there is an excess of the inferior class of coals thrown on the market?—I think the inferior classes are more plentiful than the best coals, on the whole.

2508. Would they continue to come, do you suppose, unless the parties found it their interest to send them?—Certainly not.

2509. Then the reduced rate at which they sell, owing to that glut, is so much in favour of the consumer whoever he may be, is it not?—Decidedly so.

2510. Are you of opinion that a reduction of 1*s.* to 18*d.* in the price of coals in the north per ton, would necessarily be followed by a similar reduction in London?—I think it would ultimately.

2511. Do you think that that reduction on the best coals would affect the inferior class of coals to the same extent?—I think it would.

2512. That the *ratio* would be preserved throughout?—Exactly so.

2513. Do you apply that to the lowest class of coals?—To all classes of coals.

2514. Would it follow in your opinion that a reduction of 18*d.* per ton, taking into account the low prices at which the inferior coals sell, would tend to their entire exclusion?—I am not sufficiently aware of what they can afford to send inferior coals for, or whether they are making a profit now or not.

2515. Are you not aware that that reduction would amount to nearly 4*s.* per chaldron on their price at the port of shipment?—I consider that about the ratio.

2516. Are you of opinion that the trade in London finds its advantage in a regulation, from the regularity of the supply and the greater regularity of prices?—I think it is a great convenience to the trade.

2517. Are you aware at what price coals are retailed to the poor in different parts of London?—I am not.

2518. What description of coals are generally sold by the smaller dealers?—A secondary quality.

2519. None of the very lowest quality are sold?—At some coal-sheds they are; much depends on the neighbourhood of the coal-sheds.

2520. Is the Committee right in assuming there is a charge of 8*d.* over and above the city dues, metage and factors' commission, known by the name of scorage, allowance, &c.?—I think it is about 6*d.*

2521. What do you understand that sum of 6*d.* to include?—The tret is in lieu of ingrain, the discount is a compensation for prompt payment, and the scorage is an old custom.

Mr. *Thomas Aviolet*, called in; and Examined.

Mr. *Thomas Aviolet.*

2522. *Chairman.*] WHAT are you?—An accountant.

2523. In the employ of a housekeeper resident near Red Lion-square?—Yes, I am.

2524. Do you wish to give an account of the invoice prices charged for coals to a housekeeper in the parish of St. Andrew's, Holborn?—Yes, I do.

[*The Witness handed in the same, which is as follows:*]

Mr. *Thomas Aviolet.*

24 June 1836.

AN ACCOUNT of the Invoice Prices of COALS charged to a Housekeeper in the parish of *St. Andrew, Holborn,* for the Ten years from 1826 to 1836, inclusive.

		s.	d.	£.	s.	d.
1826: Oct. 21	10 Chaldrons Coals - - - - - -	at 47	–	23	10	–
1827: Sept. 28	2½ - ditto - - - - - -	53	–	6	12	6
Dec. 1	5¼ - ditto - - - - - -	54	–	13	10	–
1828: March 4	10 - ditto - - - - - -	50	–	25	–	–
	Shooting, 12*s.* 6*d.*, Metage, 5*s.* - -	-	-	–	17	6
1829: Aug. 26	10 Chaldrons best Coals - - - -	45	–	22	10	–
	Metage, shooting, trimming - - -	-	-	1	2	6
1830: Jan. 29	5¼ Chaldrons Russell's Hetton - -	51	6	12	17	6
Feb. 10	5¼ - - ditto - - Lyon - -	50	–	12	10	–
Oct. 30	10 Chaldrons best Coals - - - -	51	–	25	10	–
	Metage, shooting, trimming - - -	-	-	1	3	–
1831: Mar. 28	8 Chaldron Coals - - - - -	42	–	16	16	–
	N. B.—Paid for on delivery, and 8*s.* discount allowed.					
1832: Feb. 21	12 Tons of Coals - - - - -	35	–	21	–	–
Sept. 21	7 - ditto - - - - - -	33	–	11	11	–
1833: Jan. 9	5 - ditto - - - - - -	32	–	8	–	–
May 8	10½ - ditto - - - - - -	30	–	15	15	–
Sept. 24	7 - ditto - - - - - -	30	–	10	10	–
Oct. 8	6 - ditto - - - - - -	30	–	9	–	–
1834: Jan. 31	7 - ditto - - - - - -	30	–	10	10	–
Nov. 10	14 - ditto - - - - - -	34	–	23	16	–
1835: May 28	14 - ditto - - - - - -	32	–	22	8	–
1836: Feb. 29	5 - ditto - - - - - -	33	–	8	5	–
	N. B.—Paid for 9th May, and 5*s.* discount allowed.					

Thomas Aviolet.

2525. Have you inquired at several shops the prices of different coals?—I have.

2526. Of retail sellers?—Yes.

2527. Have you a list of what they were in Red Lion-street and Holborn?—In Red Lion-street I found them at 1*s.* 6*d.* and 1*s.* 7*d.* per cwt., and this is the list of what the prices are at different places.

	s.	d.		s.	d.
Red Lion-street, Holborn, p' cwt.	1	6	&	1	7
Eagle-street - - „	-	-		1	8
Kingsgate-street - „	-	-		1	8
Bury-street (Bloomsbury) „	-	-		1	6
Duke-street - - „	-	-		1	6
Plumtree-street - - „	-	-		1	6
Denmark-street (St. Giles) „	-	-		1	6
New Compton-st. (St. Giles) „	-	-		1	6
Little Eagle-st. (Seven Dials) „	-	-		1	6
Great St. Andrew-street „	-	-		1	6
White Lion-street - „	-	-		1	6
Street adjoining - „	1	5	&	1	6

	s.	d.		s.	d.
Broad-street - - p' cwt.	-	-		1	6
High Holborn - - „	1	5	&	1	7
Little Turnstile - - „	1	7	&	1	8
Shire-lane (Fleet-street) „	-	-		1	5
Fetter-lane - - -	1	2	1	6	& 1 7
Red Lion-street (Spitalfields) „	-	-		1	5
Brown's-lane - ditto „	-	-		1	6
Steward-street - - „	1	4	&	1	7
Crispin-street - - „	1	6	&	1	8
White's-row (Whitechapel) „	1	2	&	1	6
Skinner-st. (Bishopsgate-st.) „	-	-		1	6

Thomas Aviolet.

2528. Mr. *Pease.*] In what situation of life are you?—I am an accountant.

2529. Are you a purchaser of coals on your own account?—I am.

2530. Are those for manufacturing purposes, or as housekeeper?—As housekeeper only.

2531. Do you know what price you have paid for the last ten years?—Yes.

2532. Can you furnish the Committee with a statement of the prices you have paid?—The papers I have just handed in contain those prices.

2533. Do you apprehend that list is a fair criterion of what respectable consumers were charged at the dates in question?—Yes, I do.

2534. From the list you have handed in, you have made a wide circuit, and visited most parts of the metropolis and suburbs?—I have.

2535. And you understand these to be the selling prices at the present day for ready money?—Yes, I do, certainly.

2536. Do you know how the fractions are adjusted, in case in the calculation there should be one?—I find pretty generally they take a penny above the price of a cwt.; in the case where it was 1*s.* 5*d.* per cwt., for the half cwt. they would charge 9*d.*

2537. So

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2537. So that in case the charge as you have stated amounted to 8½*d.* it would be raised to 9*d.*?—Yes.

2538. That would make a difference of 10*d.* per ton in the retail price?—Yes, exactly so.

2539. In the case of a farthing; do you meet with any case of a farthing fraction being so swollen?—No.

2540. You are not perhaps able to form an opinion of the qualities of the coals in the course of that investigation?—Not from an inspection of them, but from the statement of one or two of the individuals of whom I inquired, they told me that they were sometimes of a very inferior quality, those of a low price in particular; in one case they were as low as 1*s.* 2*d.* the cwt.; the man said they were of an exceedingly bad quality.

2541. Did he allude to them as coals bearing the lowest price, or nearly so, in the pool?—I think the lowest that he knew of.

2542. He did not state the quality as a matter of complaint; that he had been deceived as to the quality he had bought?—Yes, I understood him that he considered they were mixed, and that they were not the sort of coal that he considered he was buying.

2543. Had he bought them of the merchant?—Of the merchant.

2544. Did the party to whom you allude state that he should go to another market?—No, he said he thought he could only get that one article, and that he had no remedy.

2545. Has not that buyer who is supplied with an inferior article the opportunity of changing his connexion?—I should think he has.

Lunæ, 27° die Junii, 1836.

MEMBERS PRESENT.

Mr. Hume.	Mr. Pease.
Mr. Wakley.	Mr. Lambton.
Mr. Bell.	Major Beaucler.

MR. HUME, IN THE CHAIR.

Mr. *John Zachary Dyer*, called in; and Examined.

Mr. *J. Z. Dyer.*

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2546. *Chairman.*] HAVE you been a Coal-merchant in London, and also a ship-owner, for a number of years?—I have.

2547. For how long?—More than 40 years.

2548. Are you engaged in business in London also?—As a coal-merchant and ship-owner.

2549. Do you bring your own coals to market?—Yes.

2550. Have you traded to the ports of Sunderland, Newcastle and Tees?—Yes, I have.

2551. Are you acquainted with the proceedings of the committee of coal-factors for the regulation of the supply of the market?—I know a good deal of the system; but I am not one of them.

2552. What has been the effect of the regulation passed by the factors, on the supply in the market; have you found it facilitate the supply or interfere with the supply?—The supply has not been so large in the market, in my opinion.

2553. Have you occasion to go to market and buy yourself?—Yes, every market day.

2554. Have you found any difficulty in obtaining the quantity of any kind of coals you wanted?—I never found any difficulty.

2555. What do you mean by saying the supply has been limited, if you have never found any difficulty?—Sometimes we might have bought more coal if there had been more coals put on the market; sometimes there were only 40 ships in the market, sometimes 60, sometimes 70; and there would be 200 or 300 remaining behind them.

2556. Have you concurred in that regulation yourself?—I never was asked about it.

2557. Have you found any inconvenience either as a coal-owner or ship-owner?—As

—As a ship-owner I have found very great inconvenience in the loading my ships in the north.

2558. State what that inconvenience was?—I never found any inconvenience until the latter part of 1834; when at Sunderland, in consequence of not letting my ships go through the regulation of the London market, I could get no best coals sold to me.

2559. State what inconvenience you did suffer?—When I came to London with best coals. Mr. Scott, the secretary of the factors, wrote down to the chairman of the committee at Newcastle, and stated my ships, the Olive Branch and the Lavinia, had not conformed to the regulation of the factors in London, in not laying the turn required by the factors' regulation.

2560. Have you a copy of Mr. Scott's letter?—No; I have my own captain's letter, where he states he has been refused being loaded. This is a letter from Captain Mason, of the Olive Branch, dated Sunderland, 25th November 1835, in which he states:

I am also sorry to state, that Mr. Husdell received a letter yesterday morning concerning the Olive Branch going to work on the 4th of November, without laying in turn for a meter a regular turn for sale, from the president of the northern coal trade committee, viz. a Mr. C. Brandling, communication received from a Mr. T. B. Scott, on or about the coal exchange, complaining that such gross violations of the rules and regulations of the coal market ought to be immediately stopped; which information being considered by Mr. Husdell official, he has declined loading the Olive Branch in future. I should have been loaded with Russell's H. W. only for that letter; notwithstanding, I think I can get a cargo of Sunderland coals, if you pay into the bank for me a bond 140 *l.*

2561. Who is Mr Husdell mentioned in that letter?—He is the fitter of the Russell's Hettons.

2562. What did you do in consequence of that?—I paid the money into Jones, Lloyd & Co., for the cargo of coals. He met Mr. Spence, who is the agent of the Marquis of Londonderry, and he said if he would take a steam-boat, and go to Seaham, the ship would be loaded that night. He took a steam-boat, and went to Seaham, and got loaded in the night, and paid for the cargo of coals. When he was loaded, they were very much displeased at finding they had loaded the wrong ship, and said they would not have loaded her if they had known it had been my ship.

2563. Was she loaded with the best coals?—Yes, the best coals, Stewart's. I had a letter from Mr. Husdell himself, which I will hand in.

Sir, 19 September 1835.

I HAVE loaded your vessel, Olive Branch, with a cargo of Russell's Lyon's Wallsend coals, with the understanding with Captain Mason, that his vessel lays the regular days before commencing to discharge; as I have exceeded my instructions in loading the above vessel, I trust that you will comply with the arrangement made by Captain Mason.

2564. When the vessel arrived in London, did you comply with that request?—I did not; I took the coals myself, and went to work directly.

2565. Did you send the Olive Branch back again?—The captain went with the vessel to Hartlepool.

2566. Did you get a cargo there?—He did, on condition that the vessel should go to Chatham.

2567. Was she freighted from Chatham?—No; I gave the captain a *carte blanche* to go where he liked; I was certain I could get none at Sunderland.

2568. Have you a letter from Hartlepool, stating what he had done?—I have a letter, stating he should go to Chatham.

2569. Does he state the reason?—They would not suffer him to come to London; they would not load the coals for London, and he promised to go to Chatham, and he did go there; but he could not make a good bargain there, and he came here.

2570. He ultimately came to London, contrary to his agreement?—Yes; he could not sell the coals at Chatham for a good price.

2571. Is that captain in London?—No; he is coming from Guernsey now; I expect him here shortly. I have a letter of his, dated Sunderland, January 2d, 1835:

Sir,

I HAVE for to inform you of the safe arrival of the Olive Branch at Hartlepool; I got in there last night, after a most curious passage of fogs and calms, and I may say strong gales of wind. I will be able to get a cargo of the Hetton Wallsend; but it is just as I thought it would be. I shall have for to tell a hundred lies; indeed, I think that I shall contract such a habit of lying that I sha'nt be able to give it up. We have not only

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factors and coal-owners, to contend with, but a whole host of ship-owners, that are compelled by their connexion with factors to chime in with the present shameful regulations; and to show their attachment to the cause, fall foul of me; but I have stopped a few of their mouths by telling them there is a Bill pending in Parliament to put a stop to all illegal combinations. I would have run straight down to Elgin, agreeable to your wish, but the men wanted 5*l.* 10*s.*, which I refused to pay, and therefore put the ship into Hartlepool. I could have got Shields the same tide, but you protested so much against the Newcastle coals. I think that I will be loaded about Thursday.

2572. Did that ship go back again?—She went back to Sunderland again.

2573. Did she get a cargo?—He then went to Guernsey; she could not get a cargo.

2574. Why did you take it to Guernsey?—We could get no best coals in the north, as they refused to load us. We could get no Russell's Hetton; no Lyon's.

2575. Could you have got second coal?—We might have got a coal fit for the westward, Portsmouth, and that direction; but those were inferior coals that did not suit me to load. I wanted a cargo of the best sorts.

2576. Has your other ship, the Lavinia, been regularly loaded?—No; in the same way she lay for two months at Sunderland, and could get no coals at all; at last she got an inferior cargo of Stobart's.

2577. Who is Mr. Carr?—The fitter of Lambton's Wallsend.

2578. Have you had any correspondence with Mr. Carr, the fitter of Lambton's colliery?—Mr. Carr wrote this letter to me, March 5th, 1834:

Dear Sir,

In consequence of a general restriction of vend in the coal trade, it is not in my power to freight or guarantee any ship's cargo; I would therefore recommend you at once to give Captain Ridley orders to load on the ship's account. I assure you the whole of the collieries on this river, Tyne, Stockton and Seaham, are in it; and the whole of us can ship the quantity allotted us for the month, in eight days.

2579. Did Captain Ridley command your vessel, the Lavinia?—Yes.

2580. In consequence of that letter, what did you do?—I wrote to Mr. Carr to load her immediately.

2581. And took the guarantee?—I got no guarantee.

2582. Did he allow you to take the coals at that time?—Yes, at that time he did; that was in 1834; I had no obstruction until the latter part of 1834.

2583. When was your next communication with him?—I went and loaded, and then I received this letter from Mr. Carr, of the 13th of August 1834:

Lambton Office.

About a month ago I had a representation from the committee of factors for the regulation and sale of coals in the London market, stating that a few vessels (or owners) did not comply with the rules laid down, &c., and among the few was your Lavinia; and as she had loaded at this office, requested that I would use my endeavours to induce you in future to allow the cargo to be offered and sold according to their regulations, which I think you will acknowledge has been of very great service in keeping the market at a steady and remunerating price, and any little deviation of this sort may have an injurious effect; I therefore trust and hope you will at once comply with the regulations of the trade.

2584. Did you comply with the regulation?—I did not.

2585. Did the Lavinia get a cargo?—She did, from Carr.

2586. How did you get a cargo when you would not comply with the regulation?—I did get a cargo; they loaded me; and I got a cargo until the latter end of 1834, when they refused me.

2587. When the Olive Branch went in December 1834 to Sunderland, state what took place?—I received a letter from the master, dated Sunderland, December 15th, 1834:

Sir,

This will inform you that I have loaded the Olive Branch with Stobart's Wallsend, and was in a measure compelled to do so, as Mr. J. Carr, not content with not loading the ship himself, prevented me from getting a cargo of Stewart's Eden Main; and when he found that I had got a cargo of coals he was stamping mad. These coals have been 19*s.* 6*d.* all the year, and that price is attached to the certificate, but I only, as you see, paid 18*s.* 6*d.* for them; they are a very fine thrifty coal, and very little dead small among them. Ridley got in last tide, but don't think that he will get any coals, for J. Carr says that he will take care that neither the Lavinia nor me gets any coals whatever another voyage, not even small.

I have

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I have a letter from Captain Mason:

Sir, Middlesbrough, 1 March 1835.

This will inform you that the Olive Branch is all loaded, and have taken in 116 chaldron of Chaytor's Wallsend. I am sorry that I came here at all, as they have regularly proscribed the two ships, go when they will for the best coals; the cargo is a very good one, but from the low price at market, I think I will try Chatham, as I can always come into the Thames after, if I can't sell the cargo; they are very large, and the quality good. Enclosed you have the invoice; the price I think rather high, and the measure bad, but the ship is very deep; the wind is at present from the east-south-east, and the sea heavy on the bar. I think it would have been better if we had not loaded at all, and gone to the Baltic or Holland; but did not anticipate such a depression in the market. I am at present not very well, and don't think I shall be able to come this voyage; in that case, the ship will come straight to London. My accounts I can send by Ridley, if I don't come.

I am, Sir, your most obedient servant,
John Mason.

N. B.—If you have any thoughts of selling the Olive Branch, I think there is now an opportunity to sell her, and think you would get 1,550 *l.* for her, as the ship won't pay loading with inferior coals.

I have also a letter, dated the 4th December 1835:

Sir,

Enclosed is the Olive Branch invoice for cargo Stewart's Wallsend. Pemberton refused to load the ship without I would sign a bill for 50 *l.* not to allow us the privilege of taking the cargo to London, which I of course refused. I have seen Ridley, and promised to go over, but I shall not be able, as the ship is here, and we are in daily expectation to be able to get to sea every tide. I do not think that they will load us here again. Expecting to see you soon,

I am, Sir, your obedient servant,
John Mason.

2588. What took place when Mason went, in March 1835, to Stockton-on-Tees?—He went to Stockton the beginning of January 1835; he took on for a cargo of Tees Wallsend; he got loaded all but a single keel; they found out whose ship she was, and they made a tremendous bother about loading her; he said, unless they put in the other keel he would neither pay for the coals or move the ship. They put in the other coals; he paid them for the cargo of coals, and came away.

2589. What became of the coals?—They came to the London market, and myself and friends took them.

2590. They did not go through the market?—No, they never went through the market at all. Then he went down to Stockton again, and they would not load with Tees Wallsend. I was compelled then to take a cargo of Chaytor's Wallsend.

2591. Is that an inferior coal?—A very inferior coal.

2592. Did you take those and have them brought to London?—Yes.

2593. In consequence of the difficulty of getting coals, what have you done with your ships?—The Lavinia I have sent to Newcastle about three times, and has been trading to Scotland for Elgin coals.

2594. When you sent to Newcastle, did you get a cargo regularly?—Two collieries refused to load me, but I got Hepburn coal.

2595. What was the longest time you were obliged to wait for a cargo?—Three weeks I have been waiting there.

2596. If you had complied with the regulation, would you have been so long detained?—I should have traded to Sunderland, because the Sunderland coals pay me so much better, but they prohibited me; I laid once for two months, and they would let me have no best coals.

2597. Have you been punctual in paying for your coals on all occasions?—Always, and sometimes ready money; the master would write me to pay the money into Jones, Loyd & Co.

2598. Are we to understand your business has been done in the ordinary way?—Yes.

2599. Bills drawn at 40 days?—Sometimes at sight; sometimes two months from Sunderland.

2600. You have loaded also to foreign ports?—Yes.

2601. Have you had any difficulty in getting a cargo to go abroad from any of the collieries?—None whatever.

2602. Are the restrictions only as regards the London market?—I never found any difficulty until the latter part of 1834; but I could then get no best coals at Sunderland.

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2603. You do not find any difficulty now in getting coals for a foreign voyage?—None whatever; any coals can be got for Jersey or Guernsey, or anywhere foreign.

2604. What is the average time a vessel is detained in the north for a cargo, suppose they comply with the regulation?—It depends on the quantity of ships that go in; there may be a large fleet that goes in; it may be a fortnight's turn, or you may get loaded immediately if you go in with the first of the ships.

2605. They merely wait for their turn?—Yes.

2606. Can you state from your own experience the average time a vessel is detained in the river, after she leaves Gravesend, before she begins to unload?—Some of the ships must be detained a fortnight before they come within the regulation.

2607. Before this regulation, what was the average time?—I cannot say; it is a long time the regulation has been now.

2608. It has not been longer than 1831, has it?—About then.

2609. Cannot you recollect before 1831?—There used to be sometimes a want of meters.

2610. Has there been any want of meters since the regulation of the factors and buyers?—No, I do not think there has been.

2611. You do not complain of that?—No.

2612. Do you get a meter, as you do not comply with the regulation?—I appoint one of the old meters.

2613. You do not get any of those under the regulations?—No; I have nothing to do with them at all.

2614. Mr. *Pease*,] What did you wish the Committee to understand from that letter of March the 5th, 1834?—Before I got this letter the coal-owners were in the habit of upholding the price, most likely 7 *s.* or 8 *s.* freight; if we did not make it in the market, they bate us the difference down there. At this time that was broken up, and they would not uphold any more.

2615. Can you state to the Committee what was the largest amount in difference that ever came under your notice as having been paid by coal-owners on that system?—I might have seen 20 *l.* a voyage, or 25 *l.* a voyage paid, when I came to put the difference together.

2616. Do you mean a certain price being named as the price of coals, that price not being realized in London, 20 *l.* difference had to be paid by the coal-owner?—Yes, that is the case.

2617. A price was assumed as the selling price in London, which would leave you a given amount of freight, and the coal-owner a given price for his coals?—The regular price down in the north was charged, and if I did not make 7 *s.* or 8 *s.* freight, or whatever the amount agreed on, I calculated what the coals yielded at the London market, and I charged the 7 *s.* or 8 *s.* freight to the ship, and the difference between what the coals fetched at the market and the freight left against the coal-owner minus 20 *l.* or 25 *l.*

2618. Was that during what is called the fighting trade?—Yes; at the time the prices were very low.

2619. Major *Beauclerk*.] In fact they freighted you?—It was the same as freighting me, although they did not run the risk of the cargo and insurance; I was my own insurer; if the ship had been lost I should have lost my cargo.

2620. In every other respect it was freighting you?—Yes, except my running the risk of cargo.

2621. *Chairman*.] If coals had sold above the fixed price would you have got the profit?—Yes.

2622. And the coal-owners stood by the loss if it was less?—Yes.

2623. Mr. *Pease*.] Was it common at that time to guarantee these freights, because it was anticipated the price in London would be so low as not to allow the ship-owners a fair profit?—Yes.

2624. That prevailed to a great extent?—At that time it did.

2625. Have you found on the average of the last three years, as a ship-owner, carrying coal is a good productive business?—I have found it turns out very well, doing no insurance and running my own risk.

2626. Have you been lucky in avoiding sea losses?—I was unlucky at first, but latterly I have been fortunate.

2627. You may be said now to have paid your own insurance?—No; I have lost four ships worth 10,000 *l.*

2628. Are

2628. Are you alluding to the coal trade, or a general shipping trade?—The coal trade; I had three cargoes in the ships I lost.

2629. When did you lose the ships?—Near about 1824 or 1825.

2630. Major *Beauclerk.*] If you could load coals at Sunderland, taking the present prices of the London market, would it pay you well?—Yes.

2631. Could you undersell the present prices, and still make a profit?—Yes, I dare say I could.

2632. Mr. *Pease.*] Have you formed an opinion, from your intimate knowledge of the shipping trade, whether the captains and owners engaged in the trade are making more than a fair return for their capital; do you think they receive extravagant freights?—They have also to pay insurance on the club losses.

2633. Taking all those things into account, what would be your impression?—It depends so much upon whether the ship is lucky, and the number of voyages she makes.

2634. You have no decided impression they are overpaid?—I have no particular decided impression they are overpaid.

2635. Mr. *Wakley.*] Do you know at what rate they are paid?—So much depends on the luck of the ship, or whether she makes the voyage quick, or falls in with good prices.

2636. Mr. *Pease.*] Are you aware by whom the regulations are made of which you complain in London?—The self-elected factors and coal-merchants.

2637. Do you recollect the time when that regulation first came into existence?—I cannot particularly recollect; they elected the weighers at the first.

2638. How long was that ago?—Directly the city meters were broken up.

2639. Do you mean after passing the new Bill?—Yes.

2640. About the year 1832?—Yes, about that time.

2641. That Bill leaves it optional whether you will employ their meters or not?—Just so.

2642. You have declined ever employing them?—I have.

2643. If you had applied for a meter you would have had one?—I never gave them a chance of refusing; they never asked me anything about the new system, and I was determined to have nothing to do with it. The Act did not compel me to go the office; there are many that do not go through the office beside me.

2644. Have the goodness to state, with regard to this regulation, whether there is a general feeling among the owners of ships against it, as well as your own?—I never inquired about it; the captains seemed very vexed with me when I could get on so quick; sometimes I was making two voyages, while some of them were only making one.

2645. *Chairman.*] Are the Committee to understand you could make sometimes two voyages by not being in the regulation, while other ships could only make one?—Yes.

2646. Mr. *Pease.*] State to the Committee the greatest number of voyages any of your ships have ever made in a year?—I have here an account of one ship that has made 11 voyages.

2647. What is the smallest number?—I have made only six, but that year I have been in dock.

2648. When the ship has been regularly going throughout the 12 months, what is the smallest number?—I made nine in 1833, with the Lavinia.

2649. *Chairman.*] To Sunderland?—All to Sunderland.

2650. Mr. *Pease.*] Are you aware whether nine is the common calculation in the trade?—I am not aware.

2651. You have never heard the captains state they considered nine about the fair average number of trips?—No.

2652. You have not stated the fewest voyages you have ever made with a ship sea-going all the time?—In 1834, I made 10.

2653. Had you only one ship going then?—No; the Olive Branch was going foreign; she did not go constantly in the coal trade. In 1835 I made but seven, in consequence of not being able to get the coals at Sunderland, and I was obliged to go to Elgin in Scotland to load.

2654. Scotch voyages are frequently longer, are they not?—Yes, by a third. I tried all the places; I tried Seaham and Stockton, and Hartlepool, and I could get no coals.

2655. Were they all in the same tale, they would not give you a preference?—They would not give me any coals, because I would not go through the rules and regulations of the coal-market in London.

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2656. Are you aware whether any other parties have refused to obey the regulations besides yourself?—A good many do not go through the market.

2657. Have they been treated in the same way you have?—I have not inquired lately.

2658. Can you give the names of some parties who do not conform to the regulations?—They may have conformed latterly to them, but in November 1834 there was a general kick-up in the market about it; since that some have gone into the regulation.

2659. Have some continued to sell in defiance of the regulation?—Yes, some do not go by the regulation.

2660. Do you mean with the best coals?—Some of them the best coals.

2661. Have you any such case to state?—The vend will tell what quantity of coal does not go through the market. In May 15,000 tons never went through.

2662. Does it follow that those ships did not wait their turn?—They did not.

2663. You are sure of that?—Yes; they did not go through the market; they worked without an official weigher.

2664. You are aware a number of vessels loaded partly with merchandize cargoes, and partly with coals, do not come under the regulation at all?—That may be the case; but they work with their own weighers.

2665. You do not know whether it was the coal-owners that in the first instance requested the ships to join the regulation?—The letters I have from the fitters wish me to join, and to go through the regulation.

2666. Your captain says, in his letter of the 2d of January, "but it is just as I thought it would be, I shall have for to tell a hundred lies; indeed I think that I shall contract such a habit of lying, that I shan't be able to give it up." Have you found him as your captain to have contracted this inveterate habit of lying?—I have found him a very clever fellow; he got the coals when I could not get the other ship loaded. I found one captain got coals sometimes, when the other captain could not.

2667. Do you then think these 100 lies have served the purpose?—I considered he had a right to get coals, as I paid for them.

2668. *Chairman.*] Have you found him tell stories in anything else?—No.

2669. Mr. *Pease.*] He says, "I have stopped a few of their mouths by telling them there is a Bill pending in Parliament to put a stop to all illegal combinations." Do you know anything about the other 99 stories that he would tell?—He might say he was coming to another port, and come here with the coals.

2670. One of his letters states he told them positively he would go to Chatham, and he came here?—He went to Chatham, but could not sell them there; and therefore delivered them in London.

2671. Mr. *Lambton.*] You did not conceive yourself called on to discharge him, because he lied grossly on the subject?—I told him to get the best coals.

2672. Whether he lied or not, you did not care?—No.

2673. *Chairman.*] If there had been no regulation he would have had no occasion to lie at all?—He would have got the coals immediately.

2674. Are we to understand all these lies he was obliged to tell more from the combination existing?—Of course; he was obliged to fight them with their own weapons.

2675. Mr. *Pease.*] Do you know that they told a quantity of lies?—I know I have lost a great deal of money by not being able to get the best coals.

2676. Do you think a party selling an article has no right to make this kind of regulation, for the mutual advantage of all connected with the trade, when required so to do?—I consider if I go to a colliery and pay my ready money, I am entitled to be loaded as soon as others.

2677. If you go to a grocer's shop and find 40 customers there before you, do you think you have a right to be served before the other 39?—I should suppose I should have to wait my turn.

2678. When your ship goes to the Tyne, the Wear, or the Tees, you are willing to wait your turn?—Certainly.

2679. *Chairman.*] You would not complain if you got your turn?—No.

2680. Mr. *Pease.*] Do you know what that regulation is made for, as to turns on the Tyne and Wear and Tees?—The regulation is made because they cannot load them all at once, and we are obliged to lay until they can load us.

2681. Is the object that one party shall not have a preference over another?—I suppose it is; at Shields you take your turn regularly according to Act of Parliament.

2682. Is

2682. Is there not a system equally regular as to the Wear and Tees, to load vessels on rotation?—I cannot answer the question.

2683. The object you state is, that no party may have a preference over another, but that they may be loaded fairly?—I should have no objection, if they would give me my best cargo of coals in my regular turn.

2684. Those regulations are made by the coal-owners for that purpose?—I have got no coals down there from December 1834.

2685. Do you think the same principle does not apply to delivery, if the parties delivering chose to make those regulations?—In Sunderland?

2686. No, in London. Do you think the same principle could not be fairly applied to the delivery that there is to the loading?—There is no Act of Parliament in London to compel people to wait for one of these weighers, or to sell coal in the market.

2687. There is no Act at Sunderland, is there?—Not about loading; I believe at Newcastle there is, that you shall take a regular turn.

2688. The principle is to load in turns, for the purpose of giving fair play to all parties?—Then why would they not load me down there?

2689. Do you think the regulation has any effect in equalizing the rate of freight to ship-owners generally?—I do not know; I do not trouble myself about it.

2690. Do you think it keeps steady the rate of freights?—I never freighted my ships at all; I always run the risk.

2691. Did you not say you were in the habit of taking a guarantee and freighting your ships?—I did in 1834, when the trade was so bad.

2692. You took the guarantee because the ship-owner's trade was such a bad one?—Yes.

2693. Supposing the parties, instead of asking for a guarantee, asked for a rotation, is there any difference in principle; is not the principle in both cases to keep up the freight to a reasonable rate?—If I could not have got the guarantee for a certain freight that would pay me, I should have laid the ship up; I laid her by two months at Sunderland, because I could get no best coals there.

2694. You are not able to state whether this system is advantageous to the ship-owners or not?—I am not able to state; I know I did very well when I could get the best coals.

2695. You are not aware whether this was the result of an application from the ship-owners in the north to the factors in London?—I am not.

2696. *Chairman.*] Are the Committee to understand that your complaint is not against the Turn Act in Newcastle, but because you cannot get your turn along with other ships?—Yes, and likewise at the Tees and Hartlepool.

2697. Mr. *Pease.*] Do you not think you have an advantage over the other ship-owners by not complying with the regulation?—I can go quicker.

2698. *Chairman.*] But you are not loaded so quickly?—I am obliged to be looking out to see how I can manage matters.

2699. If you were loaded as quickly as other vessels, you would be able to make more voyages in the year than those who attend to the factors' regulations?—Yes.

2700. Mr. *Pease.*] Do you mean to say there would be no greater delay at the other end, if all the vessels went down as quickly as you?—The delay is here.

2701. If all the vessels went as quickly as you, would there not be a greater delay down at the Tees, &c.?—Yes.

2702. Major *Beauclerk.*] Did the captain of your ship, the Lavinia, recommend you to sell her, owing to not being able to get any coals?—The captain of the Olive Branch did.

2703. You stated you could make sometimes two voyages to their one?—Yes.

2704. That was owing to that delay which they are obliged to undergo, and which is a loss to the ship-owner?—Yes.

2705. Who do you suppose pays for that loss?—The ship-owner.

2706. Do you not conceive it comes eventually upon the public, in the price of coals?—That is a very nice question to answer.

2707. Mr. *Lambton.*] Do you mean to say the ship-owners, of their own accord, did not propose to join the regulation?—I do not know whether they did or not.

2708. You having sent ships so frequently to Sunderland, are you perfectly ignorant of that circumstance?—I am perfectly ignorant.

2709. Do you mean to say you do not know the rate of profit ships generally make trading to Sunderland in the coal trade?—It is difficult to say, there are so many

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many different things to take into consideration; a man may meet with an accident, and so on.

2710. Do you mean to say you have no general notion of the rate of profit which a ship makes trading from Newcastle and Sunderland to London?—I know what my own ship makes.

2711. You are asked, do you not know the general rate of profit that is made by the ships trading from Newcastle and Sunderland to London?—I do not know.

2712. You said you did not mind your captain lying on this subject; would you, if you had been captain of your own vessel, have lied in the same way?—I would have got the coals in the best way I could.

2713. You would not have minded lying?—That is not a proper question to put to me.

2714. Major *Beauclerk.*] Is this the meaning of the captain's letter; a certain degree of deception having been used by those who attempted to bind him by laws which they had no right to enforce, he feels justified in evading that?—Yes.

2714*. Do you conceive him to mean this: if a person says that he will not sell me coals unless I will take them to a certain port, namely, London, I conceive, he having no right to enforce that obligation on me, I have a right to say, "I agree to your terms," and will take them where I choose?—Yes.

2715. Mr. *Bell.*] Then you conceive, if a man engages to take coals to Chatham, that he is at liberty to sell them in London?—The captain did take them to Chatham.

2716. *Chairman.*] Do you consider the combination in the north, and the combination of the factors in the port of London, to be an illegal association?—I do.

2717. Mr. *Pease.*] What is the combination in the north?—Respecting the combination in the north, I wish to retract that; I do not know anything about it; but as to that in London, I do say it is.

2718. What is the regulation of the vend in the north?—I know very little about the vend in the north; they used to vend so much a month.

2719. *Chairman.*] Do you know the regulation by its effects on yourself, inasmuch as you cannot get a cargo when you want it?—I could get a cargo up to November 1834.

2720. Mr. *Pease.*] Has the regulation of the vend in the north anything to do with your not getting a cargo?—I cannot say that it has.

2721. Have you not stated, the secretary of the association there had been written to by Mr. Scott, and that it was on that account you could not be loaded regularly?—Yes.

2722. Why do you say you do not know anything about the vend in the north?—I meant as to the quantities.

2723. Major *Beauclerk.*] You have had the question asked you, Do you conceive it a hardship, if you go into a grocer's, to take your turn in buying; do you conceive that has anything to do with your going to Sunderland, where you cannot get a cargo at all?—I do not think it has anything to do with it.

2724. Mr. *Pease.*] You consider a party selling an article has no right at all to make his own terms for the selling?—If I am selling a cargo of coals I have a right to get the best price I can for them.

2725. Mr. *Bell.*] Does that apply to the coal-owner or not; has he a right to get the best price he can for his coal?—Certainly, he has; I never objected to the price at all.

2726. *Chairman.*] But they object to supply you?—Yes, they did, because I did not go through the rules and regulations of the coal market here.

2727. You were asked a question, whether, if there was no regulation, you would not be longer in getting your cargo than now; whatever the delay might be, would you complain if you got your cargo in turn with the other ships?—Certainly not; I could not complain.

2728. Mr. *Pease.*] Whatever the delay is in London, what right have you to complain when you can sell as quickly as your neighbours?—I complain of not being loaded down at the north.

2729. You complain of the regulation?—Yes; but I have nothing to do with the regulations here, and do not belong to them.

Mr. *William Metcalfe*, called in; and further Examined:

Mr. *William Metcalfe.*

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2730. *Chairman.*] HAVE you any explanation to make, in addition to the Evidence you gave at the last meeting?—I have merely to say, that since I was before this Honourable Committee on Friday, I have discovered the letter to which Mr. Wood alludes. I hold in my hand the copy, and it was dated the 4th of January 1836. I have not a very perfect copy of the letter, but it is here precisely as it now stands in my letter-book; with reference to this point, it says, "Surely it can never be right to exclude on any day best coals entirely, particularly when this is done by inferior sorts being held over unfairly, and for the purpose of making rubbish sell at best price;" signed, "William Metcalfe."

2731. Will you state to the Committee what you meant to convey to Mr. Wood by that paragraph which you have read?—I meant to convey to him that our resolution on that day had been altered, which had the effect of keeping those best coals from being sold, which otherwise would have been in turn for sale, at a time when the prices were amply protective. In altering those resolutions on that day, we excluded the best coals entirely. When I was before the Committee last, these circumstances did not occur to my mind, because I had no dates, Mr. Wood not furnishing me with any; but on Saturday I discovered, by looking over the records, that on the 4th of January 1836 there were no best coals at all in the market; and that arose from the circumstance of our resolution being altered, which reduced the quantity from 70, I believe to 40 ships. I will not be positive as to the number offered on the 4th January 1836, but I believe, to the best of my recollection, that we had a meeting on that day, and the quantity was reduced from 70 to 40, and of which I complained to Mr. Wood.

2732. Do you recollect what the price was on that day?—I should think about 23 *s.* or 23 *s.* 6 *d.* the previous day. The market day previously was on the 1st of January, and the previous price was 23 *s.* 6 *d.*, or thereabout, I think.

2733. Can you state whether at that time there were any best coals in the river?—I should say plenty, from my recollection.

2734. Then we are to understand, that had these regulations not existed, plenty of best coals would have been brought to market?—There were plenty lying in the river, I should state on my recollection.

2735. And nothing but this would have prevented their being brought to market, as you know of?—Nothing but our improved, I might add, our sane mode of sale.

2736. Mr. *Pease.*] Do you recollect whether that 4th of January was Monday, Wednesday or Friday?—I do not recollect, but I think it was on a Monday.

2737. Have you any doubt about there being a sufficient supply two days after, that is to say, the next market day, of best coals?—As far as my recollection goes, we had not many best coals on the following market for sale.

2738. Have you formed any specific idea of the increased quantity of best coals required for the supply of this market?—That would be impossible for me to conjecture; all I state is, an opinion that I imagine on certain days we could have taken off more best coals, and that at a time when the quantity was unfairly restricted by alterations.

2739. Will you state to the Committee, to the best of your recollection, what was the assigned cause of the alteration on the day you have alluded to?—I think it was that the frost which we had, and the previous market day was succeeded by a thaw, and the consequence was, that we anticipated a heavy market.

2740. Was there a heavy market in consequence?—I cannot recollect the price of any coals on that day; all I know is, that from reference to the records, I observe that there were no best coals for sale on the 4th of January.

2741. Have you not stated that at the former Examination you came in a very unprepared state?—I received the summons at half-past six o'clock on the Thursday evening, and I came on Friday, without having the opportunity of any preparation.

2742. You stated, in your Examination, you were favourable to the regulation, subject to certain modifications that you had proposed, as an improvement on those regulations, but that you were the last man to wish to see them done away; having considered that, do you adhere to that opinion?—I am of opinion if these regulations were done away with in London, that the public would not be benefited, but on the contrary. My opinion has always been to prevent a low price, and also to prevent a high price; and to give to the public coals at a steady and moderate price, agreeably to the wishes of the coal-owners; and had the ruin of 1833

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continued, it is my opinion that a large proportion of the collieries must have been laid in, and then the price would have been just whatever we, as factors, chose to ask for the coals that were sent by those collieries which could have survived such losses.

2743. Are you of opinion any Legislative measure, that should have the tendency to reduce the collieries now supplying the market, from 90, to 42 or 43, would be an expedient regulation on the part of the Legislature?—If the number of collieries were reduced to such extent, I imagine the supply would be also, unless the collieries then extant were considerably to increase their vends.

2744. From your knowledge of the coal trade, would that render a regulation easier or more difficult than at present?—I can only give a conjectural opinion to such a question as that.

2745. *Chairman.*] You are asked the effect of "reducing the number;" do you conceive any Act of Parliament can reduce the number?—I am not aware of the extent or the limit of the powers of Parliament.

2746. You have spoken of the ruinous time of 1833; do you consider it ruinous to the public to buy coals as cheap as they were in that year?—I certainly do, inasmuch as one excess would produce the other, and that probably to a fearful extent, now that the consumption of coals is so much increased.

2747. Then, as you are supposing it would, did that other excess which you contemplate ever take place?—We had prices so low in June 1833, that best coals were sold at 14*s.* 9*d.* and 15*s.* per ton; and in many cases in that year I have known where the value of invoices have been lost entirely: in fact, on one occasion I remember, where a captain of a ship was offered his cargo, provided he would pay the municipal dues, and take it for his freight, he declined; and I only say as my opinion, had those ruinous times continued, that a large portion of the collieries must have been laid in, as in the case of the Townley Main colliery. A particular friend of mine, Mr. Dunn, found that colliery would not pay, and consequently he laid it in.

2748. Mr. *Bell.*] You stated the Townley Main was laid in in consequence of the ruinous prices; are you not aware also, another colliery, where the coal was of an infinitely superior quality, and where the vend was in general much larger, was also laid in; are you not aware the Gosforth colliery was laid in?—I believe it was laid in for a short while, during the time of the ruinous prices.

2749. Mr. *Pease.*] Are those the highest prices, and the best Newcastle coals?—I believe they are so certified and considered.

2750. Did you never see the prices at the market?—I have seen them recorded.

2751. Do they not stand the highest of any coals from the Tyne in the list?—I believe they do, and are understood to be one of the best coals from the Tyne.

2752. *Chairman.*] Now are we to understand distinctly from you, that the ruinous prices relate to the seller and not to the buyer, during the time the fighting trade existed?—Yes, it was the seller who felt the effect of ruinous prices.

2753. To whom?—To the seller; to the importer, the coal-owner or shipowner, as it might happen.

2754. Were not coals sold cheaper in London during that time to the consumer?—Unquestionably in 1833.

2755. Mr. *Lambton.*] Is a low price beneficial to the public, and beneficial to the country, when the rate of profits are not below the ordinary rate?—I should think a very extraordinary low price could be beneficial to no one, because it must produce a reaction, and a serious one.

2756. *Chairman.*] During the time you can buy cheap, is not that an advantage to the consumer?—Yes, during such time.

2757. Mr. *Lambton.*] Suppose the low price which the producer is receiving, being much below the ordinary rate of profit, were to continue for some years, and supposing it not only in the coal trade, but in all the important trades of this country, the cotton and wool trade, would there not be a general distress and ruin all over the country?—I have devoted the whole of my time to the business of a coal-factor; I know nothing at all of any other trade; but common sense would induce me to answer your question, most decidedly, yes. A low price must always produce a subsequent high one, sooner or later.

Mr. *George Searle*, called in; and Examined.

Mr. *George Searle.*

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2758. *Chairman.*] HAVE you been long acquainted with the River Thames?—I have been brought up to it all my life.

2759. Are you able to state whether any and what change has taken place in the depth of water since the old London-bridge was removed?—We have less water in the lower part of the tide, in consequence of the removal of the late London-bridge.

2760. The water ebbs out more?—Yes.

2761. Does more come in?—I think we lose more than we gain. Opposite to where we are now sitting there is ground sufficient this morning at low water to play the game of trap-ball, and that quite in the middle of the river.

2762. Above Westminster-bridge?—Yes, and below Westminster-bridge, nearly to Whitehall.

2763. The water now comes easier in and runs easier out?—It runs faster out; it runs so fast out that when the wind is strong a man cannot row through Blackfriars' Bridge.

2764. With regard to the height, does it rise higher?—It rises higher, perhaps four, or five, or six inches; and when we have strong north-north-west winds, then we have extraordinary high tides.

2765. Can you give an idea, in inches, how much more the tide ebbs out than formerly?—It may average nearly 18 inches, or quite. I think the water is lower by one foot and a half, since the removal of the old London Bridge, than it used to be before.

2766. How much higher in the average?—I think about six or seven inches higher.

2767. Do you ever recollect, since you have been acquainted with the river, coal-vessels or schooners coming above London Bridge to unload?—I remember schooners coming to the Northumberland bottle warehouse, the lower side of Blackfriars' Bridge.

2768. Any great quantity?—There were two schooners belonging to that company.

2769. Is that between Blackfriars' Bridge and the Iron Bridge?—Yes; close to Blackfriars' Bridge almost.

2770. Have you ever known any come through Blackfriars' Bridge?—No, not schooners; I have known them to come up the opposite side to the Copper Company's wharf.

2771. Above the bridge?—Yes; long before London Bridge was thought of being removed.

2772. What tonnage?—From 130 to 140 tons.

2773. Do you mean to say vessels might come with 130 tons through the bridges, and deliver above Waterloo Bridge?—Yes, with much ease and no risk; we should always have water enough on flood to bring them alongside the wharfs, and they would go away light.

2774. How high do you think vessels might come with ease?—We have good water on both sides, particularly the north shore, by Scotland-yard and the Adelphi.

2775. If there was a wharf there, could vessels lie alongside and deliver?—Yes; and they could easily deepen it: the mud might easily be removed. Near the Glass-house, near Westminster Bridge, the mud has been removed, and three feet more water obtained. There is a public wharf to land all sorts of goods, and I have seen a Yorkshire vessel land coals there lately.

2776. Of what tonnage?—I should think 100 tons; we commonly call them Billyboys; they are Yorkshire vessels.

2777. Do they by that means save the lighterage?—Certainly they must; because they deliver at the wharfs.

2778. Could that be carried on to any great extent?—I should think it might, when you can find premises unoccupied for the purpose.

2779. In that case you would be able to sell coals cheaper to the consumer on each bank of the river?—Certainly; you would do away with the expense of barge building and lightermen; and there is not only the expense of barge building, but the keeping them in repair.

2780. Mr. *Pease.*] Do you know whether the bargemen and lightermen have any particular privileges for which they are compensated in such a case as that you have

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have alluded to?—I am a freeman of the river myself; and I am also the City barge-master; and as a freeman I am eligible to bring up the vessels.

2781. Can you exercise any authority, or claim any perquisites for vessels navigating and using the river in this way?—Nothing more than I am eligible to take a craft up and down, on being paid for doing so; I am privileged by servitude.

2782. Must one of your company take charge of the vessel?—Yes, the vessel must be brought up in charge of a qualified person, under the penalty of 10 *l.*

2783. Does that apply to a sloop or barge?—It applies only to coal craft, expect the west countrymen, and they load in the Pool; and to take the coals to Windsor, and further on, without being freemen of the river.

2784. Must they always employ a freeman or waterman?—They must in working coal barges be lightermen; otherwise, if I saw a man at work, not a freeman, I could take him to the police-office, and he would be fined 10 *l.* I would mention an instance; I have a boat-keeper, and the other day a man and woman came and said to my man, "Will you put us on board the steam-boat, if you please?" he took the man and woman in, and when they got into the boat, he said, "Never mind, my man, I shall not want to go on board now, row me ashore." He took the 6 *d.*; they immediately went to the police-office, and my man was convicted in the penalty of 10 *l.* and costs; and if my son had not been there, and paid the fine for him, he must have gone to gaol; that was for putting a person on board a boat, not being qualified to do so by the Act of Parliament.

2785. Do the Committee understand you a billyboy or collier coming up through the bridges must employ a free waterman?—I do not know whether they would have a right to navigate them under the Act, but the captains have now got so well acquainted with the navigation of the river that they do it by themselves. Some time ago a man came up from some part of Yorkshire with pots for the glass-house; in coming through the bridge he got foul of our moorings; he did mischief, and was very insolent about it; he was taken out of this vessel by the police, and taken before Mr. Ballantyne, the police magistrate, who committed him for the assault, and fined him 14 *l.*; but no notice was taken of his coming up without a waterman.

2786. Mr. *Pease.*] Are you not aware these billyboys do still continue to come through London Bridge, and deliver at the wharfs?—Yes; I saw coal laden in one of the billyboys up at Kew Bridge, and she had coals up to her hatches.

2787. Had she watermen to take her up?—Certainly, and they could not find their way without them through the bridges.

2788. Could they find their way to Westminster Bridge without them?—Yes; they have been so accustomed to it now, since the removal of the old bridge, that there is no fear.

2789. Do we understand that it would be much easier now for colliers to come up to Westminster Bridge, or above Waterloo Bridge, than it was before?—Yes, and I will state the reason: formerly there was a much smaller arch at London Bridge, less in breadth and height, and a very heavy fall of water, which created great risk of injury, and vessels might have sunk from the force of the fall; now there is a larger arch, less tide and greater height, so that you need not lower your rigging so low, and you can get through easier.

Captain *John Fisher*, called in; and Examined.

Capt. *John Fisher.*

2790. *Chairman.*] WHAT situation do you hold?—I am principal harbour-master of the port of London.

2791. How long have you been in the harbour service?—About 17 years.

2792. Has the quantity of shipping in the coal trade increased of late years?—Very much so.

2793. What kind of accommodation is there for the vessels lying in the Pool?—The coal vessels generally deliver in the lower part of the Pool, the greater part of them.

2794. Is there plenty of room?—Certainly not, for the whole.

2795. Are there more vessels lie now than formerly laid there in the coal trade?—I think there is rather less at present.

2796. Are you aware that the rule in the coal trade is of bringing only a certain number up to market daily?—We generally have a list sent down to the harbour-master's-office at Greenwich, of the coal vessels that are sold in the market, and those that are sold we permit up into the Pool; but we have nothing to do with the coals going to market, except giving accommodation to the colliers.

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2797. Are all the coal vessels that come up able to lie in the Pool?—No; they are kept down below at Greenwich, Blackwall and Deptford, and at Bugsby's Hole.

2798. Is that an inconvenience to the shipowner?—I should think so, because there is great delay in discharging them.

2799. Do you send them down there or prevent their coming up?—We prevent them coming up, to keep an open navigation in the Pool.

2800. If the tiers in the Pool are full they are obliged to wait in order to come up, are they?—They are.

2801. Have you ever considered the practicability of the colliers, instead of lying in the middle of the river discharging, being delivered at wharfs or docks, or in any other way?—I think for the present description of vessels that are in the coal trade, it would be impossible to allow them to go to wharfs; a great many, from the nature of their build, will not take the ground, as from their construction it would be dangerous.

2802. State why it would be dangerous?—Having such a very heavy cargo on board, from the build of the vessels it would strain them so, that it would do the vessel considerable damage; those vessels are obliged to lie afloat to lie with safety; they lie with no damage lying afloat; if they laid a-ground, a number of the old vessels would start their buts and planks.

2803. What class of vessels do you suppose could be used?—If it was come to a decision for colliers to come alongside wharfs, I think the description of vessels best suited to the purpose would be on the plan of those Yorkshire billyboys, a large class of vessels with flat bottoms; those are the only kind of vessels that would answer, with dropping masts to enable them to go above bridge.

2804. Could those vessels make voyages from Newcastle to London in bad weather?—Perhaps they might not be quite so safe as the large class of colliers, although I think they could be so constructed that they might. They generally come all the winter backwards and forwards from Yorkshire, and I do not see why they should not from Newcastle.

2805. Would not the freight of coals brought by vessels of 150 to 200 tons, be more in proportion than by those of 350 or 400 tons?—I should think not; I should think it would be rather less; they take a less number of men.

2806. Do you mean to say three billyboys of 120 tons each, would be navigated at a less expense than one vessel of 360 tons?—I think it might; it is very likely that it would.

2807. You have never yourself been in the trade?—No.

2808. You only speak as a professional man?—Yes.

2809. What is the average size of colliers now in the trade?—I think they average to carry about 300 tons each.

2810. What is the largest that you know of?—I do not recollect; I have not taken particular notice.

2811. Mr. *Pease.*] Do you not see a considerable number of new vessels coming up the river, bringing 360 to 400 tons, in the coal trade?—I have not observed that.

2812. *Chairman.*] Have you directed your attention at all to the possibility of vessels delivering at wharfs on the river?—I think a number of vessels might deliver at wharfs; I would not say the whole coal trade should be compelled to do it, but a number might, which would relieve the Pool of a large quantity of vessels; if those small vessels could come up below London Bridge with a falling mast, they would get accommodation alongside wharfs; it would relieve the Pool of the large vessels.

2813. What prevents the vessels coming now?—I do not know of anything.

2814. In point of fact, do many of them come up now?—Not with coals, nothing goes above bridge with coals.

2815. You know nothing to prevent them?—Of the description of vessels that I have alluded to, there would be nothing to prevent them; it would require nothing but to have the masts to drop. It frequently happens in winter time, from the number of colliers coming up, that they are detained for three weeks without being able to deliver their cargo, for want of accommodation in the Pool for them.

2816. What are the number of coal barges, one day with another, that are afloat in the river?—We may calculate on 300 a tide, up and down.

Capt. *John Fisher.*

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2817. Are there not also a great many that lie loaded at different places?—Yes, a great many.

2818. Does that interfere much with the navigation of the river?—Not the centre of the river, but at times they cause a little obstruction to the in-shore passages.

2819. Your object in having them to unload at wharfs, would be to free the navigation of part of the colliers?—That is my meaning.

2820. Are there any colliers at the present time that discharge at any wharfs on the river?—I do not know of any.

2821. Are there none discharge at Greenwich?—Occasionally a coal vessel or two discharge at Greenwich, at the Phœnix glassworks.

2822. Do you know Crawley's wharf?—I do.

2823. Do they deliver there ever?—He has two vessels that come up partly loaded with iron and partly with coal.

2824. How are the coals for Greenwich Hospital delivered; are they delivered at the wharf?—Generally at the projection which runs out from Greenwich Hospital, a kind of jetty.

2825. Are no lighters employed?—No.

2826. There is Whiting's wharf, at Shadwell?—I do not recollect that particularly.

2827. What is the largest tonnage vessel that comes above Waterloo Bridge at the present moment?—I should not think more than 60 or 70 tons; I am speaking by guess.

2828. Is that the largest vessel that comes up with any cargo?—I do not recollect seeing anything larger.

2829. Is it necessary for a vessel of 100 tons to take a waterman to come up the river?—No; vessels in the coasting trade or Baltic trade are compelled to take a pilot; most of the coasting vessels that do come up or down are generally conducted by Greenwich watermen.

2830. The law does not compel them to take them?—No; but they are practical men, and they do it with very little damage, and therefore they are employed.

2831. Suppose colliers were built of the scale you have mentioned, 150 to 200 tons, of a particular build to lay at the wharfs, would they be required to take watermen, or might they come if they pleased themselves?—They would not be compelled to do so, but I should think they would do it for their own safety.

2832. You attended to the state of the river before old London Bridge was taken down?—Yes.

2833. What has been the effect as to the depth of water or strength of the current since then?—In the main channel I find no difference in the depth of water.

2834. At what place are you speaking of?—Right through the centre from London Bridge to Blackwall, except when there have been strong gales of wind from the eastwards or westwards, I have found there has then been a considerable increase and decrease in the water: that is not in ordinary circumstances.

2835. Are you much above London Bridge?—Very little.

2836. Can you state what effect the removal of that bridge has had on the depth of water up as far as Westminster Bridge?—I have been up occasionally, and it appears to me there is considerably less water at low water.

2837. Does the water run faster off than it used to do?—I see no difference in the race of the tide.

2838. In the high tide has there been an increased depth?—From extraordinary circumstances, occasioned by gales of wind.

2839. Then are the Committee to understand from you that vessels might be built so as to furnish a part of the supply to be delivered at the wharfs or docks, and thus relieve the Pool from the pressure at the present moment?—It would assist very much in relieving the Pool.

2840. Mr. *Bell.*] Were you examined before the Port of London Committee?—I was, last week.

2841. Mr. *Pease.*] You hoist a flag when there is no more room in the Pool?—Yes; it is understood between the vessels and us, that they are stopped from going into the Pool until they have permission.

2842. Is that any very serious loss or inconvenience to them, over and above the circumstance of the detention, which would even happen in the Pool?—I should think, by detaining them for want of accommodation in the Pool for delivery, it must cause a considerable damage.

2843. You

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2843. You would ascribe that to the detention, wherever it happens?—It is the detention.

2844. You cannot form an opinion whether the vessels arrive in greater fleets now than they did two or three years ago, or otherwise?—I think we have larger fleets myself; there is a greater supply of coal required, and there are a greater number of colliers.

2845. Call back your attention to 1833; have you not known the flag up for months together in 1833?—Yes, but not so long as it is at present; the last year I do not think the flag was down for three days the whole year together; on an average, we may calculate from 60 to 70 vessels detained out of the Pool, between Blackwall and Greenwich and Deptford.

2846. The quantity of coals waiting has been so great, the flag was only down three days in the course of last year?—It was so. I made a return to the Committee up-stairs, on the Port of London, of all the vessels that were detained daily throughout the last year.

Mr. *Edward Tyrrell*, called in; and Examined.

Mr. *Edward Tyrrell.*

2847. *Chairman.*] WHAT situation do you hold?—The office of city remembrancer.

2848. You are aware, by the 1 & 2 Will. 4, c. 76, it is enacted, the court of aldermen may make bye-laws to regulate the coal market?—I am.

2849. Will you state whether, after the passing of that Act, any bye-laws and regulations were made?—No bye-laws or regulations have been made; the court of aldermen have not felt themselves called on to make any; they have not found that the coal market has required any bye-laws or regulations to be made.

2850. What is the nature of the superintendence which the court of aldermen have exercised over the coal market?—The superintendence that is exercised by the corporation of London over the coal market, except as to making bye-laws, is exercised by the coal and corn committee, and not by the court of aldermen.

2851. Are the court of aldermen aware of the factors having made regulations respecting the sale, and also of a joint committee of factors and buyers having made regulations to affect the supply of the market?—I am not aware that the fact has come before them as a court of aldermen.

2852. Has no copy been sent to them for their approval?—None.

2853. Nor to any of the city officers?—No, I believe not.

2854. In what way have they interfered with the market at all?—The court of alderman have not interfered with the coal market since the passing of that Act.

2855. They take 1*d.* a chaldron for the market, do they not?—The corporation receive 1*d.* per ton for the market.

2856. How do they expend that?—Mr. Scott is in attendance from the chamberlain's office, with an account; he has all the particulars, and I would refer the Honourable Committee to him for that explanation.

2857. Are the Committee to understand, the corporation of London, through the court of alderman or any other of its officers, have not interfered in any way since the passing of the last Act?—Not further than the powers conferred on them for collecting the duty, and appointing and regulating the affairs of the coal-market.

Mr. *Benjamin Whinnell Scott*, called in; and Examined.

Mr. *B. W. Scott.*

2858. *Committee.*] WHAT situation do you hold?—I am principal clerk to the chamberlain of London.

2859. How long have you been employed in that office?—I have been employed in that office considerably upwards of 30 years; and as principal clerk upwards of 20 years.

2860. What are your duties as connected with the coal trade?—Generally to superintend the various accounts of the duties as to coal.

2861. Have you any thing to do with the coal market?—Only as to the monies received and paid in reference to that market, the accounts of which are kept in the chamber of London.

2862. Are any orders or regulations issued from the chamberlain's office respecting the coal market?—Not any.

2863. Except as to receiving the 13*d.* that is paid?—No orders are issued from the office of the chamberlain; the various committees under whose superintendence the several Acts are placed issue such orders.

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27 June 1836.

2864. All your duty is limited to receiving and accounting for the money?—Certainly.

2865. Have you any account of the monies received on account of duty, and on account of the coal market: are they kept separate?—They are kept separate; and I now hand in the account.

2866. Is this a continuation of the same form of account as was laid before the Committee in 1830?—I believe not. This is an account of the receipt and application of the dues payable under the recent Act of Parliament of the 1st & 2d of William the Fourth, as it relates to the coal market only.

[*The Returns were handed in.* See Appendix.]

2867. I observe by this return it appears that the income in the years 1832, 1833, 1834, 1835, has ranged from 10,806 *l.* in 1835, to 9,446 *l.* in 1833?—Yes.

2868. While the expenditure has ranged from 6,056 *l.* 2 *s.* 9 *d.* in 1835, to 7,403 *l.* 13 *s.* 10 *d.* in 1832?—Yes, including the compensations payable to the late land-meters.

2869. Will you state what comes of the surplus, and what is the amount in hand?—The surplus has been invested at the close of every year, pursuant to the directions of the Act of Parliament; and the balance in hand there stated at the foot of that account on the 31st of December last, has also since been invested in pursuance of the direction of the said Act.

2870. I observe in 1833, 15,808 *l.* was invested as the surplus dues, for the purpose of forming a fund for the future expenses of the market; is that what you allude to?—Yes.

2871. The following year, 1834, 4,620 *l.*, and in 1835, 3,329 *l.*, since which are we to understand the balance in hand, 3,942 *l.*, has also been invested?—Yes, it has.

2872. Then the amount in hand will now be about 26,000 *l.*?—It is 27,063 *l.* 12 *s.* 3 *d.*

2873. To what extent is the fund to increase?—I believe the intention is, that it should go on to increase until the income of such monies should be sufficient to defray the whole charges of the market, so as to supersede the duty of one penny altogether.

2874. Are you able to give in any estimate of what those expenses are, and to what extent the fund is to be accumulated to meet them?—I have not such an account, but it can be obtained.

2875. Will you prepare an account of the number of superannuations, compensations and allowances which have been awarded, which are now payable this year, and also what expense will be a permanent charge to pay the clerks and beadles required to keep the market open?—I will.

2876. The expenditure in this account appears to consist of three items: first, the superannuations, the compensation and allowances for officers under the old Act; for the present establishment; and for repairs and taxes for the building?—Those are the three items of expenditure.

2877. Major *Beauclerk.*] Can you give the present expense of the market?—The expenditure of the last two years, including the compensation allowance, amounted, in the year 1834, to 6,339 *l.* 19 *s.* 2 *d.*; and in the year 1835, to 6,056 *l.* 2 *s.* 9 *d.*

2878. *Chairman.*] Can you state the quantity of coals imported last year?—I have not the amount in tons.

2879. Can you state what 6 *d.* per ton would amount to, on the whole of last year's import?—Making the calculation on last year's import, 6 *d.* a ton would produce 57,565 *l.* 4 *s.*

2880. An additional duty of 6 *d.* would amount to that?—Yes.

2881. How long, by the Act, must the present duty of 1 *s.* be continued?—The present duty of 1 *s.* is composed of two sums, namely, 8 *d.* and 4 *d.*; the 8 *d.* is charged with monies that have been raised for making the approaches to London Bridge, and other purposes; and it is estimated will be required for 18 ½ years from the present time to discharge those monies.

2882. Is that an estimate lately made, or an estimate made at the passing of the Act?—An estimate lately made, on an average of the produce of the last three years.

2883. Can you supply the estimate and account to which you now allude?—I can.

Mr. *B. W. Scott.*

27 June 1836.

The application of the surplus of the fund, continued and appropriated by the Acts of the 10 Geo. 4, cap. 136, and 11 Geo. 4, cap. 64, for making the approaches to London Bridge and other purposes, taken upon the average produce of the duties on coals, wine and other payments, constituting the said fund, for the last three years, it is calculated will pay off the amount charged thereon by the said Acts (provided no further charge is made) in 18 years and 6 months, viz. by the 5th January 1855.

Chamberlain's Office, June 28th, 1836. *B. W. Scott.*

2884. What is the second sum, the 4 *d.* a ton?—The second item is payable to the corporation in commutation of various payments formerly made to them in perpetuity.

2885. By what Act is it continued in perpetuity?—It is payable under the Act of the 1 & 2 Will. 4. The arrangement was made for seven years, subject to future arrangement; and I believe an application has been made to Parliament for a further term under such arrangement.

2886. Are we to understand the 4 *d.* will cease in seven years from the passing of that Act, if no new regulation is made?—Certainly; and the corporation return to the former system of charges and measurage of coal, in lieu of the weighage.

2887. Is there any account of the amount received under those three heads of 8 *d.* duty for the Orphan Fund, 4 *d.* duty for the city dues, and 1 *d.* for the markets; are those separate accounts laid before Parliament annually?—Accounts are laid before Parliament annually of the receipt and appropriation of the 8 *d.* and also of the 1 *d.*; but none of the produce and application of the 4 *d.*

2888. Does that merge into the general city revenues?—It does.

2889. Have the House of Commons no return of that from the city annually?—None.

2890, Mr. *Lambton.*] Do other articles imported into the city of London pay dues as well as coals?—Corn pays a metage; there is also a small duty on roots, butter and cheese, a small duty on salt, and some other things of that kind. There is a return in preparation, which will show such duties.

2891. Will you hand it in?—Yes, when prepared.

Robert William Brandling, Esq. called in; and further Examined.

R. W. Brandling, Esq.

2892. *Chairman.*] WAS it not in contemplation to raise the price of coals 2 *s.* above 28 *s.* 6 *d.*, which is the present price?—It was never regularly proposed at any meeting I was chairman at, that any such rise in price should be made; but I think I stated before, that I had heard it generally discussed by the coal-owners, and generally admitted that it would bear that rise.

2893. Who presided at the meeting?—It never was proposed at any meeting that it should be raised, but I have heard it as a matter of general observation in the trade.

2894. Were you present when any such discussion took place?—I stated in my former Evidence that I did not recollect that there had been any proposition of that sort made, but that I have heard it discussed among individuals of the trade.

2895. It has never regularly come before your committee?—Never, that I know of.

2896. Mr. *Lambton.*] Do not the ship-owners of the Tyne, Wear and Tees join the regulation of their own accord?—Decidedly; there is no compulsion on anybody.

2897. Was it not their own proposition?—It was mentioned to us by the ship-owners as a very desirable measure.

2898. And do not the great majority of the ship-owners of the Tyne, Wear and Tees belong to the regulation in London?—I believe it is generally approved of by the ship-owners; I never heard any ship-owners who did not express themselves perfectly satisfied with it, except the gentlemen I have heard give evidence here.

Mr. *Joseph John Hubbard*, called in; and Examined.

Mr. *J. J. Hubbard.*

2899. *Chairman.*] WHAT situation do you hold?—Managing clerk to Messrs. Saunders & Comyn, Queen-street Place, Southwark-bridge.

2900. Has the attention of Messrs. Saunders & Comyn been directed lately to the state of the law respecting the sale of coals in the port of London?—It has.

Mr. *J. J. Hubbard.*

27 June 1836.

2901. In what respect?—In order to see if any legal difficulty existed to the formation of a company for the building of colliers to deliver coals at wharfs above as well as below bridge. The result has been, that we find the Act of Parliament of 28 Geo. 3, c. 53, offers at present an insuperable obstacle to the formation of such a company, because it prevents more than five persons entering into a co-partnership in the coal trade.

2902. Have you taken legal opinions?—We have taken two legal opinions. I have a copy of a case sent to Mr. Turner, and his opinion thereon.

2903. Who is Mr. Turner?—A barrister in Gray's-inn.

2904. Have you any other opinion?—I have the opinion of Mr. David Pollock, taken on the same case, with the opinion of Mr. Turner also laid before him.

[*The Witness handed in the Case and Opinions, which were as follows*:]

CASE.

Proposed Colliery and Coal Company.

THE object of this undertaking is to form an association of individuals, raising amongst themselves a capital of 500,000*l.*, in shares of 20*l.* each, for the purpose of building and fitting out colliers, of such dimensions as to be capable of delivering their cargoes at wharfs above as well as below bridge, thus saving all the expense of lighterage, &c., and reducing the present inconvenience to the navigation by colliers lying in the Pool, delivering their cargoes on board lighters, which further interrupt the navigation, as well as materially increase the expense of the article. Also for providing wharfs and inland depôts, waggons, carts and horses, for the delivering of the coals to the consumer. Upon a fair and moderate calculation, by most competent parties, of the profit to be obtained to the subscribers, after payment of all costs of purchase and expenses of the management and establishments, including a reduction in the price of coal to the consumer of 4*s.* per ton, it is presumed that the company will pay at least 10*l.* per cent. on their capital. It is proposed, if no legal impediment intervenes, that the objects of the proposed company shall be carried into effect by means of a Deed of Settlement, inasmuch as it is apprehended that an application for an Act of Parliament will, while the present combinations exist in the coal trade, meet with great if not insuperable opposition. It is, however, feared, that the Act of 28 Geo. 3, c. 53, offers restrictions to any such proposed association for buying and selling the article of coal. Your opinion is therefore requested, whether any course can be adopted legally to carry into effect, without an Act of Parliament, the objects of the company now proposed.

COPY OPINION.

I AM of opinion that no mode can be adopted, short of an Act of Parliament, to carry into effect the objects of the proposed company, within the Act of 28 Geo. 3, c. 53; but inasmuch as the establishment of the company would have the effect of benefiting the public, it may be considered that there would be great unwillingness on the part of juries to convict, and of any court to inflict punishment, should any prosecutions be instituted against the company for an infringement of the law. The scheme stated to me by Mr. Saunders, in consideration of allotting coal to the shareholders, instead of the company at once selling it, would, I think, be liable to be considered as a mere device to evade the Act, and not as an effectual protection against it, and therefore I think it could not safely be relied on; besides, I think it would be a very inconvenient arrangement for the shareholders. Under all these circumstances, as it appears to me, it must be a matter of discretion with the projectors of the proposed company whether they will risk the possibility of the law being put in force against them.

Gray's Inn, 30th May 1836. *Samuel Turner.*

COPY OPINION OF MR. POLLOCK.

I HAVE delayed answering the questions in this case, in consequence of observing that a Bill for giving powers to a company, called "The Birmingham Coal Company," had passed the two Houses, and was waiting to receive the Royal assent. Upon obtaining a copy of that Bill, I found that it was to extend the powers of the company which had been granted by the 7 & 8 Geo. 4, c. 24, (private local Act). Upon looking into this last Act, it appears that the company are stated to be proprietors of certain ironstone and coal mines and iron works in Staffordshire, and that the powers of both Acts are to enable them to work those mines and dispose of the proceeds. I have looked through the various statutes relating to coals, passed since the 28 Geo. 3, c. 53, but cannot discover that the provisions of that Act have been repealed or altered; indeed, as Mr. Turner has treated it as an existing statute, there was no reason to expect to find it otherwise; but I thought it right to examine the point. It appears to me, therefore, that no coal company which has for its object merely to buy and sell coals, can be legally established, except under the powers of an Act of Parliament. As to the probability of success in case of an application to the

Legislature

Mr. *J. J. Hubbard.*

27 June 1836.

Legislature, it is impossible to speak with any certainty, but looking to the statute 28 Geo. 3, c. 53, as still in force, there would, I fear, be in that very fact, a very strong and almost insurmountable obstacle to the success of an application to the Legislature for the establishment of such a coal company as that proposed. A very strong and overpowering case would be required to be proved to induce the Legislature to repeal, as to the particular instance, the provisions and operation of a public general Act, viz. the 28 Geo. 3, c. 53; and in addition to such case, there would be the whole weight of the opposition of the coal trade to the establishment of such a company. The whole matter must therefore be looked at as an experiment, and the parties concerned will have to consider all the bearings of the question before they ought to venture upon such an expense as the experiment will cost at all events, and with a considerable possibility of failure.

Temple, June 10th, 1836. *David Pollock.*

2905. Mr. *Wakley.*] When were those opinions taken?—The first the 13th of May 1836, the last was taken the 10th of the present month.

2906. Were they taken with reference to this Committee at all?—Not at all.

2907. *Chairman.*] What was the intention of the parties who took those opinions?—Their object was to form a company, if they could, without subjecting themselves to the liability of this Act of Parliament.

2908. For what purpose?—For the supply of coals to the public at a very reduced price, by purchasing them at the pit mouth, and carrying them in colliers built so as to deliver at wharfs above and below bridge, without the intervention of lighters.

2909. How did they propose to do it, by docks or wharfs?—By having the wharfs altered in some small measure (very little alteration would be sufficient to adapt many of the wharfs at present on each side of the water) for the purpose of receiving the colliers.

2910. Are you able to show any estimate made of what the reduction or saving in the price would be by that plan?—According to the estimate of individuals who have looked carefully into this matter, it would be a saving to the public of at least 4 *s.* per ton, beside giving a very large dividend to the shareholders.

2911. Can you prepare an estimate of that saving, and give it in?—If the Committee wish it I will do so.

2912. Mr. *Pease*] There is an assumption in one of the papers you have given in as the opinion of counsel, that the coal-owners would be opposed to it; on what is that assumption founded, do you know?—I should rather think the coal-owners ought to be with us, rather than not.

2913. By the expression coal-trade, do you understand that to apply to the coal-trade in London?—Yes, I understand so.

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APPENDIX.

Appendix, No. 1.

Appendix, No. 1.

Petition from Inhabitants of Middlesex.

PETITION of the Inhabitants of the County of *Middlesex*, in Public Meeting assembled, to the Honourable the House of Commons.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled:

The humble Petition of the undersigned Inhabitants of the County of Middlesex, in Public Meeting assembled,

Sheweth,

That your petitioners have been informed and believe that the great collieries on the rivers Tyne, Wear and Tees are in the hands of a few powerful, influential and opulent peers and other individuals.

That from these rivers and ports the inhabitants of the metropolis and the south-eastern districts of England are principally supplied with this important article of domestic consumption.

That by reason of the trade being confined to a particular district, and limited to a few individuals, they are enabled to establish a complete monopoly of the article, and that they have actually entered into a combination, by means of which they limit the supply to the London market, and are thus enabled to maintain prices, to the detriment of your petitioners and all other persons who daily require this important article of manufacturing and domestic consumption.

That various attempts have been made by enterprizing individuals to destroy this monopoly, by opening new and extensive districts which are found to contain an inexhaustible supply of coals of the very best quality, and which, by means of railroad conveyance, can be taken to Hartlepool and other ports at a low rate, and can be brought into the London market successfully to compete with the old collieries both as to price and quality.

That Bills are now pending in your Honourable House to effect these objects, by constructing a railroad, called the "Durham South-west Junction Railroad," and another, called the "South Durham Railroad."

That your petitioners have been informed, and believe, that meetings of the great coal-owners interested in maintaining the monopoly have been held, to devise means to prevent the opening of the contemplated sources of supply, and that they have raised subscriptions from, and levied contributions upon, the owners of the old collieries, *pro rata*, according to the amount which, by their monopolizing regulations, they are allowed to ship; and that they have agreed to employ counsel, and to organize an opposition to the progress of the said Bills, and that a deputation is now in town actively engaged in the prosecution of the said object.

Your Petitioners humbly represent to your Honourable House that the rejection of the said Bills, in deference to the interests of the old established collieries, is in direct opposition to the principles of free trade and open competition adopted by the Legislature, and that it is quite sufficient for the inhabitants of the metropolitan city to have to sustain the freight and charges upon coals to which their local position subjects them, (and from which the manufacturing districts are exempt); and it is as impolitic as it is unjust to aggravate this necessary evil by shutting out competition, and thus exposing the metropolis to a monopoly for the benefit of a few wealthy individuals.

Your petitioners therefore humbly pray your Honourable House to institute an inquiry into the facts herein stated, and to devise such measures as shall correct the abuses herein detailed, which have been and are so injurious to the interests of your petitioners.

Signed on behalf of the meeting,

John Lainson,
David Salomons, } Sheriffs.

Appendix, No. 2.

Appendix, No. 2.

Report from Coal and Corn Committee.

REPORT, Coal and Corn Committee, 16 December 1831.

On the Measures requisite to be adopted under the Act lately passed for Regulating the Coal Trade:

TO the Right Honourable the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled.

We whose names are hereunto subscribed, your committee of control over the coal and corn meters, to whom, on the 27th day of October last, it was referred to carry into execution the provisions of the Act passed in the last Session of Parliament, intituled, "An Act for regulating the Vend and Delivery of Coals in the Cities of London and Westminster, and in certain parts of the Counties of Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire and Berkshire," and to report thereon from time to time, Do certify, that we referred it to a select committee to consider the measures necessary to be adopted for carrying the provisions of the said Act into execution, with power to take such steps as might be immediately requisite; who, having accordingly proceeded in the same, have delivered in a detailed report thereon, which we have caused to be hereunto annexed for the information of this honourable court; and we, your committee, fully agreeing with the opinions and recommendations contained in the said report, confidently submit the same to this honourable court for adoption. Dated this 16th day of December 1831.

R. Obbard.	*J. Carter.*
Josh. Bedford.	*Thos. Jarvis.*
Wm. Hepworth.	*Solo. Bennett.*
T. H. Hall.	*John Drinkald.*
J. Williams.	*James Frisby.*
G. Martin.	*Wm. Austin.*
Thos. Mitchell.	*S. Beeton.*
J. Evans.	*Sam. Ridley.*
John Rolls.	*H. E. B. Haines.*
W. Stevens.	*E. Eyton.*

To the Worshipful Committee of Control over the Coal and Corn Meters.

We whose names are hereunto subscribed, your select committee, appointed, on the 28th day of October last, to consider the measures necessary to be adopted for carrying into execution the several provisions contained in the Act passed in the last Session of Parliament, intituled, "An Act for regulating the Vend and Delivery of Coals in the Cities of London and Westminster, and in certain parts of the Counties of Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire and Berkshire," with power to take such steps as might be immediately requisite, and to report thereon to this committee, Do certify, that, attended by the deputy remembrancer, we have had frequent meetings upon the subject, and in the first place turned our particular attention to the machine for weighing coals, required to be carried in every cart or waggon; and having, after trying and inspecting various machines from several parties, approved of the one submitted to us by Mr. Thomas Burchfield, of West Smithfield, we directed the same to be laid before the Lords Commissioners of His Majesty's Treasury, for their inspection and approbation; and having attended their Lordships with the said machine, with Mr. Burchfield, who was heard in explanation of the same, and also a Mr. Maddox, who had submitted a machine to us, was heard upon his objections to Mr. Burchfield's machine; and their Lordships, being of opinion that the said objections had no foundation, were pleased to certify their approval of Mr. Burchfield's machine.

We thereupon directed the same to be deposited with the hall-keeper for the inspection of the public, and to be kept as the machine required by the Act, for the purpose of comparing and adjusting others, to be brought to the Guildhall, to be duly examined thereby, and stamped when found correct; and directed the hall-keeper to provide proper and experienced persons to perform this duty. And we caused advertisements to be inserted in the Gazette, and the London and country papers in those districts to which the provisions of the Act extend, giving the public the necessary information accordingly.

By the provisions of the Act of Parliament of the 1 & 2 Will. IV. c. 16, for the repeal of the duties on coal, it was no longer necessary for the commissioners of Customs to continue a collector at Grove Park, Herts; and we received a letter from them, acquainting us that they had directed their officers to give up the premises at that place, and to repair to London; in consequence thereof it became necessary for us to take some steps for the collection of the city and orphans' dues on all coals passing the boundary there, amounting to 1*s.* 3*d.* per ton, up to the 31st instant, which dues had been heretofore received by the officers of the Customs, and from and after that time, the city and other dues of 1*s.* 1*d.* per ton, made payable by the said Act of the 1 & 2 Will. IV. c. 76. And we appointed Mr. Wm. Browton, wharfinger to Messrs. Holliday & Brown, coal merchants, of Grove Wharf,

Wharf, Grove Park, upon the recommendation of the Earl of Clarendon, to collect those duties, during pleasure, at a salary of 50 *l.* per annum, with instructions to pay the amount collected into the Chamber monthly, and have taken the office lately occupied by the collector of the Customs, at the yearly rent of 5 *l.*, and directed Mr. Benjamin Whinnell Scott, principal clerk to the chamberlain, to furnish him with proper forms of receipts and other documents, and also with books for the purpose of making the entries and keeping correct accounts of the quantities of coal and the amount of duty, and ordered the said books and accounts to be laid before the committee half-yearly, at least, for examination. And we instructed Mr. Browton to use all due diligence in the collection, and to endeavour to procure the amount of dues upon any barge which might have passed the said boundary, between the period of the officer of the Customs leaving Grove Park and the date of his appointment. And Mr. Browton having subsequently informed Mr. Scott that some of the parties had refused to pay the same, and that an opinion had been expressed, by the barge-owners and masters navigating the Grand Junction Canal, that this city was not entitled to any dues until the 1st day of January next, we advised with the city's solicitor thereon, who being of opinion that there was not any power or authority for the city's officer to detain any barges or boats laden with coal in cases of non-payment, but that the same could only be done by an officer of the Customs, we directed an application to be made to the commissioners, requesting them either to appoint Mr. Browton one of their officers, or to send an officer from London to collect those duties up to the end of the present year; and we have the satisfaction of being enabled to report, that the commissioners immediately directed one of their officers to proceed to Grove Park accordingly.

We beg further to certify, that Mr. Stephen Leach, the clerk of the works of the navigation committee, having gratuitously offered to collect similar duties on any coals that might be brought down the River Thames, beyond the city's boundary stone at Staines, in the event of any such coals being so brought, we appointed him to collect the same accordingly.

As by the provisions of the Act of the 1st & 2d Will. IV. c. 76, the metage of coals in the port of London will be discontinued from and after the 31st of December instant, and a system of weighing adopted in lieu thereof, it became important for us to consider the best mode for carrying this alteration into effect with reference to the clerks and officers to be employed at the coal market, and in respect of any regulation for that market. And the better to enable us to form a correct opinion upon these points, we attended at the office of the coal-meters in trust for this city, and at the office of the clerks of the coal market, and of the collector and receiver of the city's dues of groundage and water-bailliage upon coals, and inspected the various books and documents kept in those departments, and heard the several gentlemen engaged therein in explanation of the same.

We were also attended by a committee of coal merchants and coal factors; who were heard relative to some regulations they were desirous should be adopted, if possible, for the greater convenience of all parties attending the coal market; and likewise of a desire on their part to become the tenants of a portion of the offices at present occupied by the board of coal meters in trust, and of two small rooms adjoining the same; and having referred it to the clerk of this city's works to report the probable expense of making some required alterations, and also the rent to be paid for the same, we received a report from him on that subject; and agreed, in consequence thereof, to make the alterations required, and to let them the said offices from the 1st of January next, at a rent of 200 *l.* per annum, subject to the approbation of this Committee.

Upon the best consideration we have been enabled to give, as to the establishment it will be necessary to keep at the coal market after the expiration of the present year, it appears to us, that two clerks of the market and two beadles will be required; one of such clerks to be called clerk and collector, and the other, clerk and registrar; that they shall have separate and distinct offices allotted to them, and be respectively required to perform the following duties, viz.

Clerk and Collector.

To receive the duty from the agent or factor of every ship according to the prescribed form, the same being previously certified by the clerk and registrar, and to sign a counterpart, as having received the duty as clerk and collector, which counterpart is thereupon to be returned to the clerk and registrar.

To pay the duties received into the Chamber of London, on Tuesday, Thursday and Saturday, in every week, at the least, and to have the amount so paid in entered in three books, which are to be laid before the committee monthly, for the purpose of audit.

To produce to the committee monthly an account in duplicate of all the ships for which he has received the duty in the preceding month, one copy of which is to be delivered to and kept in the Chamberlain's-office.

To report to the Coast-office every Saturday an account of all ships that have paid the duty in that week, according to the provisions of the Act of Parliament.

To collect the rents of the coal market half yearly, and pay the amount thereof into the chamber.

And to do and perform all other duties relating to the said office, which this committee may from time to time require.

The office to be open every day from ten till three o'clock.

The party to be elected to give security for the due receipt of the duties, and the payment thereof into the Chamber, in the sum of 6,000 *l.*

Appendix, No. 2.

Report from Coal and Corn Committee.

Clerk and Registrar.

To receive from the fitter or master of the ship, the fitter's certificate, to number and file, and to register the same daily in a register book to be kept for that purpose, for the inspection of the public, agreeably to the Act, with the number, name of the ship, name of the master, the port from whence she came, the date of the certificate, the quantity on board, and the quality of the coal; the price paid, the duty paid either on composition or on the fitter's certificate, the date of entry at the office of clerk and registrar of the market; the fitter's name, the factor or agent's name.

To receive from the person attending to pay the duty a particular, filled up (as per form annexed, Appendix (No. 1,) whether such duty is to be paid upon composition or by the fitter's certificate, and to examine the same, to enable the clerk and collector to receive the duty; and that as soon as the duty is paid, the counterpart, certified by the clerk and collector, is to be delivered by the factor or agent to the clerk and registrar, who is thereupon to give a permit to break bulk, as per Form, in Appendix (No. 2.)

To number and enter the said counterpart in the register book, and to file the same.

To register all certificates of compositions sent to him by the town-clerk.

To procure from the clerks of the Coast-office at the Custom-house, a daily list of all ships entered there, having coal on board.

To receive from the different fitters every three months, their accounts, on affidavit, of all ships which have been loaded from the respective collieries for the port of London; to examine the same with their certificates, and if found incorrect, to write for explanation.

To keep an account of all the ships to which he has given a certificate for payment of duty during the preceding month, made up to a total, for examination by the committee.

To deliver into the committee once in every six months an account of every ship for which he has received a fitter's certificate, that has not paid the duty; stating thereon the reasons why such duty has not been paid, in order that the account may be from time to time compared with the register book by the committee; and to do and perform all other duties relating to the said office, which this committee may from time to time require.

The office to be open every day from ten till three o'clock.

And that for the entire performance of the whole of the duties, and including any assistance they may require from time to time therein, the salary or allowance of the clerk and collector should be at and after the rate of 650 *l.* per annum, and be paid in the following proportions:

4-13ths	200 *l.* on account of city dues.
8-13ths	400 *l.* on account of improvement fund.
1-13th	50 *l.* on account of coal market fund.
	£. 650

And the salary or allowance of the clerk and registrar should also be at and after the rate of 650 *l.* per annum, and be paid out of the coal market fund.

And having taken into our serious consideration that part of the Act of Parliament which grants the power to the court of common council to continue and retain any of the present clerks or officers, or to appoint such other clerks or officers for the coal market, as they from time to time should think just and reasonable; and also the propriety of appointing individuals best qualified to perform the respective duties, we are unanimously of opinion, that it should be recommended to the said court to appoint Mr. William Drummer, (who has for upwards of 38 years honourably and faithfully conducted himself in the situation of principal clerk to the coal meters in trust for this city,) to the office of clerk and collector; and to appoint Mr. James Pearsall, (who has executed the duties of principal clerk of the coal market since the death of Mr. Butcher, and who has equally honourably and faithfully conducted himself, as one of the clerks of the coal market,) to the office of clerk and registrar: the said appointments to be made under and subject to the standing order for annual elections, and subject to the rules, orders, and regulations for the government and conduct herein recommended, and such other rules, orders, and regulations as may at any time hereafter be deemed expedient.

We are also of opinion, that it should be recommended to the said Court to continue Mr. John Day in the office of upper beadle of the coal market at his present salary and allowance of 140 *l.*, together with the apartments he now occupies at the coal market; and to appoint Mr. William Hobbs, the present messenger to the board of coal meters in trust, to the office of under beadle of the said market, at a salary of 100 *l.* per annum.

And the better to enable them the more effectually to perform their duties, we are further of opinion, that it should be recommended to the court of aldermen to admit them yearly into the office of constables of this city.

In the event of the foregoing arrangements being adopted, it will be apparent to this worshipful committee that the services of Mr. Benjamin Wood, the present second clerk of the coal market, of Mr. John Freeman and Mr. William Vale, the assistant clerks of the board of coal meters in trust, and of Mr. Edward White, the collector of groundage of colliers and water bailliage on coals, as well as of the deputy sea-coal meters, will not be required after the expiration of the present year, and it will consequently be requisite that some

some measures should be taken for granting them compensation; and inasmuch as the court of common council have made a reference to this worshipful committee in that respect, we propose, in the event of the same being referred to us, immediately to take that subject into our most serious consideration, and present a specific report thereon; as also with regard to the compensation to be made to the principal and labouring land coal meters, whose cases are particularly prescribed for by the provisions of the recent Act of Parliament; and in order to lose no time on this subject, we have directed an application to be made to the Lords of the Treasury, (under whose approval all the last-mentioned officers are to be compensated,) requesting to be furnished with their Lordships' views and intentions as to the allowances to be made to the principal and labouring meters for the city of Westminster, with a view to our guidance as to the amounts we should recommend to their Lordships to be allowed to the officers appointed by the city, as well as to the principal and labouring land coal meters appointed under the authority of the Acts of Parliament of the 56 Geo. 3, c. 21, and the 57 Geo. 3, c. 1. And Mr. Remembrancer has subsequently reported to us, that although memorials from the principal meters for the city of Westminster had been for some time under their Lordships' consideration, they had not yet come to any determination thereon, nor was it likely that any decision would take place previous to the second or third week in January next.

We therefore postponed proceeding further with that branch of our inquiry till we should be favoured with their Lordships' decision; and in the meantime directed returns to be made to us of the names, ages, and length of service, and of the salaries and emoluments of the whole of those officers whose cases will come under our consideration.

We beg further to certify, that we have directed such books, documents, and accounts to be prepared by the respective officers of clerk and collector, and clerk and registrar, as appeared to us to be requisite. And having proceeded to consider the clauses in the Act of Parliament which authorize this city to compound with the masters, owners, or agents of any ships for the number of tons of coals in respect of which the duties should be paid, and advised and consulted with the deputy-remembrancer and this city's solicitor thereon, we directed Mr. Solicitor to prepare the necessary certificate of composition; and he having subsequently prepared the same, we duly considered and approved thereof, and recommend it to this worshipful committee to report it to the Court of Common Council for adoption, as annexed in Appendix (No. 3.)

And we are of opinion, it should be recommended to the Court of Common Council to authorize the Committee to appoint such inspector or inspectors from time to time as may be found requisite to ensure the correct receipt of the duties under the Act.

We beg further to certify, that at a conference which took place between your committee and a committee of coal merchants and factors, they suggested sundry matters as heads of proposed bye-laws for the market; and having subsequently taken the same, together with the provisions of the Act, into consideration, we are of opinion, that the days and hours for holding the coal market should continue as at present; that the office of the clerks of the market should be opened daily, from ten till three o'clock, Christmas-day, Good Friday, and Fast or Thanksgiving-days by proclamation, excepted; and that the beadles should be required at all times to use their best endeavours to prevent pickpockets and known bad characters obtruding themselves into the market; and that it should be recommended to the Court of Lord Mayor and Aldermen, in whom the power of making bye-laws for the regulation of the market rests, to include provisions to the above effect in such bye-laws as they may deem it expedient to make for the better conduct of the market.

In conclusion, we beg further to certify, that after taking into our consideration the 59th section of the said Act, which directs that weighing-machines shall be kept at watch-houses and police stations, we are of opinion, that the Court of Aldermen should be requested to order that a proper weighing machine, or proper scales and weights for weighing coals, shall be kept at every watch-house or police-station, or at such other place or places in the city of London as they shall think proper; and have directed an advertisement to be inserted in the London Gazette, and in the London and country papers within the limits of the said Act, to give notice to all parties concerned, of the necessity of providing weighing-machines, or scales and weights, on on before the 1st day of January next. All which we submit to the judgment of this worshipful committee. Dated this 8th day of December 1831.

R. Obbard,
Jno. Drinkald,
Mich. Gibbs,
T. H. Hall,
Tho. Wood.

Appendix, No. 2.

Report from Coal and Corn Committee.

No. 1.

Tons

Office of Clerk and Registrar,

No. Coal Market, 183

To the Clerk and Collector of the Coal Market.

The Fitter's Certificate of the Ship
of Master,
dated at containing
Tons of Coals has been delivered
into this Office.

Receive the City and other Dues, payable under the Act of Parliament 1 & 2 Will. 4, cap. 76, on Tons, as per

Clerk and Registrar.

Factor or Agent.

Tons.

No. Office of Clerk and Collector,

Coal Market, 183

To the Clerk and Registrar of the Coal Market.

These are to certify, that the City and other Dues, payable under the Act of Parliament 1 & 2 Will. 4, c. 76, of One Shilling and One Penny per Ton, upon Tons of Coals as per on board the Ship Master, have been paid.

Clerk and Collector.

Factor or Agent

No. 2.

183

Number of Permit

Ship

Master

Tons

Factor or Agent.

No.

Office of Clerk and Registrar, Coal Market.

183

Certificate to Unload.

To Mr. Master of the Ship from

You are hereby permitted to unload your Cargo of Coals, Cinders, or Culm.

Clerk and Registrar.

Factors or Agents for the Ship.

No. 3.

These are to certify, that in pursuance of, and according to, the provisions of an Act of Parliament made and passed in the first and second years of the Reign of His present Majesty King William the Fourth, intituled, "An Act for regulating the Vend and Delivery of Coals in the Cities of London and Westminster, and in certain parts of the Counties of Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire, and Berkshire,"

The committee appointed by the mayor, aldermen, and commons of the city of London, in common council assembled, to carry the aforesaid Act of Parliament into execution, in order to prevent any trouble in ascertaining the quantity of coals, cinders or culm, contained in the ship or vessel called the of whereof

A B of is the owner, and C D the master, (and of which ship or vessel E F of is the agent) and of the burthen of tons, by register (or by measurement), on any voyage or voyages of the said ship or vessel, from the said port of laden with coals, cinders, or culm, to the River Thames, in the Port of London, with respect to the rates or duties imposed by the said Act, have on the day of the date hereof, agreed and compounded with the said the owner, (or master, or agent) of the said ship or vessel, that the same ship or vessel shall be considered to contain the number of tons of coals, cinders or culm, in respect of which the rates or duties imposed by the said Act shall be payable until either the said Committee or the said A B, &c. shall give notice of their or his intention to put an end to such composition. Provided always, that if the said ship or vessel shall at any time hereafter be enlarged, repaired, altered or varied, whereby, or by means whereof, a larger quantity of coals, cinders or culm, than the said number of tons of coals, cinders or culm, can be carried in the said ship or vessel, such composition will, by force of the said Act, become void. Given under my hand, this of in the year of our Lord one thousand eight hundred and thirty

Henry Woodthorpe,
Town Clerk of the City of London.

Agreed to, and referred back for execution.

Standing Order suspended.

Resolved—That the 8th Standing Order, "That all elections in this court be by ballot," be suspended upon this occasion.

Officers of the Coal Market appointed.

Resolved—That Mr. William Drummer be, and he is hereby appointed clerk and collector of the coal market, upon the terms and conditions agreed to this day, and subject to the Standing Order for the annual election of officers.

Resolved—That Mr. James Pearsall be, and he is hereby appointed clerk and registrar of the coal market, upon the terms and conditions agreed to this day, and subject to the Standing Order for the annual election of officers.

Resolved—That John Day be, and he is hereby appointed upper beadle of the coal market, subject to the Standing Order for the annual election of officers.

Resolved—That William Hobbs be, and he is hereby appointed under beadle of the coal market, subject to the Standing Order for the annual election of officers.

Weighing Machines.

Resolved—That the Right Honourable the Lord Mayor be requested to lay the recommendations contained in the said Report of the Coal and Corn Committee, relative to the bye-laws for the coal market, and in relation to the beadles of the said market, and the weighing-machines required to be kept at the watch-houses or police-stations of this city, before the Court of Aldermen, with the request of this court that they will be pleased to give the requisite directions accordingly.

Appendix, No. 3.

IN addition to the Statement in the Report from the Coal and Corn Committee of the duties performed in the office of the Clerk of the Coal Market, Mr. Pearsall delivered the following Paper to the Committee:

STATEMENT of the Nature and Duties of the Office of the CLERK and REGISTRAR of the COAL MARKET, for carrying into effect the provisions of the Act of 1 & 2 Will. IV., c. 76.

TO receive the fitter's certificate of every ship laden with coals, entering the Port of London, from the master or agent, with a short particular filled up as per form agreed upon by the worshipful committee of control over the coal and corn meters; to examine the same, and certify to the clerk and collector the quantity of tons upon which the city and other dues are to be paid, and which, when paid, a certificate of the same, signed by the collector, to be delivered to the registrar, who is then to give a permit to unload.

To register the fitters' certificates in a register-book, agreeably to the Act of Parliament, with number, name of the ship, name of the master, the port from whence she came, the date of the certificate, the quantity of tons on board, the quality of the coal, the price paid, the duties paid either on composition or certificate, the date of entry at the office, the fitter's name,

Appendix, No. 3.

Duties of Clerk of Coal Office.

name, and the factor or agent's name. This book to be open to the inspection of the public, who are authorized to examine and take extracts from the same daily.

To enter, in a separate register, all certificates which are transmitted through the General Post-office, for the convenience of the factors or agents, when making their claims on the arrival of the ship.

To register the returns of the collector of all ships upon which he has received the duties, and to make up the account monthly for the inspection of the committee.

To receive from the Coast-office at the Custom-house, daily, a return of all ships laden with coal entered at that office, and to compare the same with what has been entered in the office of the registrar.

To receive every three months, from every fitter of coals, a return on affidavit of all ships which have been loaded from their respective collieries for the Port of London, to examine the same with the certificates, and, if found incorrect, to write for explanation.

To examine daily, by permission of the coal-weighers committee of factors and buyers, the delivery of every ship which is cleared by that establishment, in order to ascertain the correctness of the quantity certified in the fitter's certificate, upon which the duties have been paid; and to lay before the committee, monthly, a compaative statement of the quantity certified and paid upon, with the quantity actually delivered.

To register all certificates of composition sent by the town-clerk.

To arrange a classification of the various sorts of coals which are brought into the Port of London.

To lay before the committee, monthly, an account of every ship for which he has received a fitter's certificate, and which has not paid the duty, stating the reasons why such duties have not been paid, and to render a general account of all the ships entered in the office during the month, thereby affording a check upon the account of the collector, and to perform all duties relative to the said office for carrying into effect the provisions of the Act of Parliament, which the committee may at all times require.

Office open from ten till three o'clock daily.

Coal Market, June 1836.

James Pearsall,
Clerk and Registrar.

Appendix, No. 4.

STATEMENT showing the RATES OF DUTY Charged, from the Year 1830 to the present Time, on Coals, Cinders and Culm, Exported from the *United Kingdom.*

PERIODS.	COALS EXPORTED (except Small Coals)			CINDERS EXPORTED			SMALL COALS AND CULM Exported		
		To Foreign Countries			To Foreign Countries			To Foreign Countries	
	To any British Possession.	In British Ships, or Ships of States acting under Treaty of Reciprocity.	In Foreign Ships not entitled to the Privileges conferred by Treaties of Reciprocity.	To any British Possession.	In British Ships, or Ships of States acting under Treaty of Reciprocity.	In Foreign Ships not entitled to the Privileges conferred by Treaties of Reciprocity.	To any British Possession.	In British Ships, or Ships of States acting under Treaty of Reciprocity.	In Foreign Ships not entitled to the Privileges conferred by Treaties of Reciprocity.
From 1830 inclusive to 1 March 1831.	- - 1 *s.* per ton on coals usually sold by weight, or 1 *s.* 6 *d.* per imperial chaldron on coals usually sold by measure.	- - 5 *s.* 9 *d.* per ton, or 17 *s.* per Newcastle chaldron.	- - 10 *s.* per ton, or 30 *s.* 3 *d.* per Newcastle chaldron.	- The duties the same as on coals -			- - 6 *d.* per imperial chaldron.	- - 4 *s.* 6 *d.* per Newcastle chaldron.	- - 8 *s.* per Newcastle chaldron.
From 1 March to 23 August 1831.	- - 8 *d.* per ton, or 1 *s.* per imperial chaldron.	- - 3 *s.* 4 *d.* per ton, or 5 *s.* per imperial chaldron.	- - 12 *s.* 2 *d.* per ton, or 18 *s.* 3 *d.* per imperial chaldron.	- The duties the same as on coals -			The duties the same as on coals.		
From 23 August 1831 to 6 August 1834.	- - If for the consumption of such British possession, and exported in a British ship, free.	- - 3 *s.* 4 *d.* per ton.	6 *s.* 8 *d.* per ton.	- - If for the consumption of such British possession, & exported in a British ship, free.	2 *s.* per ton	4 *s.* per ton	The duties the same as on cinders.		
From 6 August 1834 to the present time.	Ditto - -	- - 10 *s.* per cent. *ad valorem.*	4 *s.* per ton.	- The duties the same as on coals -			The duties the same as on coals.		

Inspector-General's Office, Custom-house, London, 6 July 1836.

William Irving

Appendix, No. 5.

STATEMENT showing the Rates of the COASTING DUTIES of CUSTOMS charged on the CONSUMPTION of COALS in the *United Kingdom*, from the Year 1830 to the Period of the Repeal of such Duties.

DUTIES charged in 1830, and to the 1st of March 1831, on the Consumption of Coals.			Duties charged at the Port of Shipment.	Duties charged at the Port of Delivery.	TOTAL.
In England	on coals and cinders (exclusive of small coals)	shipped at Newcastle	- - 6 *d.* per imperial chaldron.	- - 6 *s.* per imperial chaldron; or, on coals sold by weight, 4 *s.* per ton.	- - 6 *s.* 6 *d.* per imperial chaldron.
		shipped at other ports	- - - -	ditto - - -	6 *s.* ditto.
	on culm - -	shipped at Newcastle	6 *d.* ditto - -	- - 6 *d.* per imperial chaldron.	1 *s.* ditto.
		shipped at other ports	- - - -	6 *d.* ditto - -	6 *d.* ditto.
	on small coals -	shipped at Newcastle	1 *s.* 6 *d.* ditto -	- - - -	1 *s.* 6 *d.* ditto.
		shipped at other ports	1 *s.* ditto - -	- - - -	1 *s.* ditto.
In Wales	on coals and cinders (except small coals)		- - - -	1 *s.* 8 *d.* per ton -	1 *s.* 8 *d.* per ton.
	on culm - - - - - -		- - - -	- - 6 *d.* per imperial chaldron.	- - 6 *d.* per imperial chaldron.
	on small coals - - - - -		1 *s.* ditto - -	- - - -	1 *s.* ditto.
In Scotland	on coals, cinders, & culm of all sorts	shipped at Newcastle	6 *d.* ditto - -	- - - -	6 *d.* ditto.
		shipped at other ports	- - - -	free.	
In Ireland, on coals, cinders, and culm of all sorts -			- - - -	1 *s.* 7 $\frac{1}{4}$ *d.* per ton -	1 *s.* 7 $\frac{1}{4}$ *d.* per ton.

On the 1st March 1831 the whole of the duties of customs coastwise on coals were repealed by Act 1 & 2 Will. IV. c. 6.

Inspector-General's Office, Custom-house, London, 6 July 1836.

Appendix, No. 6.

Appendix, No. 6. Eightpenny Duty on Coals.

AN ACCOUNT of the DUTY of EIGHT-PENCE per Ton on COALS brought into the Port of *London*, payable under the Acts of the 10th Geo. 4, c. 136, and 11th Geo. 4, c. 64, for providing for the Payment of the Interest and ultimate liquidation of Monies borrowed for making the Approaches to London Bridge, &c., from the 1st January 1832, and of the Application of the same.

	£.	s.	d.
Amount of the produce of the said duty of 8 *d.* per ton, for the year ending 31 December 1832 - - - - - - - - - -	71,020	5	4
Ditto - - - ditto, for the year ending 31 December 1833 - -	67,847	–	–
Ditto - - - ditto - - - - - ditto - - - - - 1834 - -	68,192	14	–
Ditto - - - ditto - - - - - ditto - - - - - 1835 - -	76,753	12	–

The charge for the collection of the said duty is 400 *l.* per annum (part of the sum of 650 *l.* payable to Mr. Drummer, and for the collection of the duty payable to the Corporation and to the Coal Market Fund).

The remainder of the produce of the said duty (the accounts of which are audited by the Commissioners for Auditing the Public Accounts) is applied, together with other duties and payments, under the Act of the 11th Geo. 4, c. 64, in payment of the interest on monies raised for the above-mentioned purposes.

Guildhall, 21 July 1836. *B. W. Scott.*

Appendix, No. 7.

Appendix, No. 7. Fourpenny Duty on Coals.

A STATEMENT of the Produce of the DUTY of FOUR-PENCE per Ton, on COALS brought into the Port of *London*, payable to the Corporation of the City of *London*, under the Act of the 1st & 2d Will. IV. c. 76, and of the Charges thereon and Application of the same, for the last Four Years.

	£.	s.	d.
Amount of the said duty of 4 *d.* per ton, for the year ending the 31 December 1832 - - - - - - - - - - - -	35,510	2	8
Ditto - - - ditto, for the year ending 31 December 1833 - -	33,923	10	–
Ditto - - - ditto - - - - - ditto - - - - - 1834 - -	34,096	7	–
Ditto - - - ditto - - - - - ditto - - - - - 1835 - -	38,376	16	–

The charge for the collection of the above duty is 200 *l.* per annum, payable to Mr. Drummer, out of the funds of the Corporation.

The monies received by the said duty, after providing for the payment of the compensations to the lord mayor, collector of water bailliage, the clerks to the late coal-meters in trust, and the late deputy ship-meters, amounting to 16,933 *l.* 17 *s.* 6 *d.* per annum, is carried to the general account of the Corporation, and applied in its general expenditure.

The expense of the collection of the duty at Grove Park is wholly borne by the Corporation.

Guildhall, 23 July 1836. *B. W. Scott.*

Appendix, No. 8.

ACCOUNT of the RECEIPTS and EXPENDITURE of the COAL-MARKET FUND, and the APPLICATION of the same, since the passing of the Act of 1 & 2 Will. IV. c. 76.

RECEIPT:

	1832.	1833.	1834.	1835.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
TO balance in hand on the 31st of December 1831 - -	- - -	- - -	- - -	- - -	16,823 3 4½
To balance of dues payable under the Act 47 Geo. 3, c. 68 -	990 12 8½	—	—	—	
Amount of dues, viz. 1 *d.* per ton, payable under the Act 1 & 2 Will. IV. c. 76, ending 31st December - - -	8,922 5 10	8,499 3 9¼	8,531 16 11	9,598 7 8½	
Amount received for rents of offices at the Coal Market -	609 15 6	628 12 6	622 17 –	629 3 –	
Dividends on Government securities invested under the 42d section of the Act - -	- - -	306 3 5	706 17 6	579 8 4	
Casual receipts - - -	- - -	12 10 –	—	—	
£.	10,522 14 –½	9,446 9 8¼	9,861 11 5	10,806 19 –½	40,637 15 2¼
				£.	57,460 17 6¾

EXPENDITURE:

	1832.	1833.	1834.	1835.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Expenses and Disbursements in Parliament in relation to the inquiry into the state of the coal trade (Session 1829–30), and in soliciting and obtaining the above-mentioned Act of 1 & 2 Wm. IV., &c. - -	- - -	2,966 1 7	194 1 10	—	
Compensation allowances to late principal and labouring land-meters for the city of London, on the abolition of their offices by the said Act - - -	1,502 3 3	1,861 9 5	1,560 2 4	1,491 1 –	
By the like allowances to the late principal and labouring land-meters in the city of Westminster - - -	1,222 15 1	1,326 10 –	1,272 15 –	1,395 10 –	
Compensations to ditto in one payment - - - -	575 – –	—	—	—	
By compensation allowances to the late principal and labouring land-meters for the counties of Middlesex, Essex, &c. - -	515 6 3	678 9 –	710 18 –	623 18 –	
Compensation to ditto in one payment - - - -	472 16 5	—	—	—	
By compensation allowances to late clerks of coal-market, for loss sustained by the operation of the said Act - - -	277 10 –	370 – –	370 – –	370 – –	
Note.—The whole of the above compensation allowances are payable under the orders of the Lords Commissioners of His Majesty's Treasury.					
Salaries to officers and clerks employed in the execution of the Act - - - -	1,230 8 6	1,351 15 –	1,286 15 –	1,286 15 –	

EXPENDITURE—*continued.*

	1832.	1833.	1834.	1835.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Artificers' work in the repair of the market	596 1 —	131 12 6	136 6 10	90 18 —	
Taxes, rates, &c. of market; stationery, printing, insurance and sundry incidental expenses	991 7 6	1,109 11 2	809 — 2	798 — 9	
Law expenses	20 5 10	167 1 3	—	—	
Annual surplus of dues invested in Government securities, pursuant to the directions of the 24th section of the said Act, towards forming a fund for the future expenses of the market and its establishment	- - -	15,806 3 5	4,620 5 8	3,329 19 1	
£.	7,403 13 10	25,768 13 4	10,960 4 10	9,386 1 10	53,518 13 10
Balance in hand of the account ending 31st December 1835, 3,616 *l.* 17 *s.* 5 *d.*, of which have since been invested under the 24th section of the Act					3,942 ⅓ 8¾
				£.	57,460 17 6¾

Chamberlain's Office, Guildhall, 27 June 1836.

B. W. Scott.

Appendix, No. 9.

Appendix, No. 9.

Dues payable to Corporation of London.

A STATEMENT of the Amount of the several DUES or CHARGES on COALS payable to the Mayor and Corporation of the City of London, for the Year ending the 31st December 1831, exclusive of the Duties payable under the Act of the 47 Geo. 3, c. 68, in relation to the Coal-Market, &c.; and of the Act of 10 Geo. 4, c. 136, for making and improving the Approaches to London Bridge.

	£. s. d.	£. s. d.
To the Corporation of London for metage, by prescription and charters, (1 *d.* of which was payable to the deputy-ship meters); 4 *d.* per chaldron on 1,583,442 chaldrons delivered in the Port of London in the year 1831	26,390 14 —	
And on 6,573 tons, 10 cwt. brought inland by the Grand Junction Canal	109 11 2	
		26,500 5 2
To ditto for water-bailliage; viz. ¼ *d.* per Newcastle chaldron, and 6 *d.* per ship groundage		991 15 —¼
To the Lord Mayor, for permit, and for certificates under the Act of 9 Anne, c. 128, 1 *s.* 6 *d.* per ship, from 9 November 1830 to 9 November 1831		498 6 6
	£.	27,990 6 8¼

Chamberlain's Office, 11 July 1836.

B. W. Scott.

Appendix, No. 10.

A STATEMENT of the several Duties, Charges, Payments, &c. to the Lord Mayor and Corporation of the City of *London*, on a CARGO OF COALS, consisting of 222 ½ Chaldrons, or 283 Tons, before and after the passing of the Act of the 1 & 2 Will. IV. c. 76, exclusive of Labour, or Government, Light, or other Duties.

DUTIES and Charges before the passing of the said Act.

	£.	s.	d.	£.	s.	d.
To the Corporation of London for metage, by prescription and charters, of 4 *d.* per chaldron (1 *d.* of which was payable to the ship-meters) - - £. 3 14 2						
Water-bailliage, – ¼ *d.* per Newcastle chalder - - - - – 2 3¾						
Groundage, per ship - - - - - - - - – – 6						
	3	16	11¾			
To the Lord Mayor, for permit, &c., under the Act of 9th Anne - - -	–	1	6			
To the collector of water-bailliage, per ship - - - - - - -	–	–	6			
To the clerks of the coal-meters' office, per ship - - - - - -	–	2	6			
The two last items, together with 1 *s.* 6 *d.* to clerks of coal-market, and 1 *s.* per ship to night-office, were fees paid by the factors for accommodation afforded them.				4	1	5¾
On account of the London Bridge Approaches Fund:						
Payable under the Act of 10 Geo. 4, c. 136, and 11 Geo. 4, c. 64, for making the approaches to the said bridge, &c., on 222 ½ chaldrons, at 10 *d.* per chaldron - - - - - - -				9	5	5
Coal-market Fund:						
Payable under the Act of the 47 Geo. 3, c. 68, for establishing a market for the sale of coals, &c., 1 *d.* per chaldron - - - - - - - - - - - - - - -				–	18	6½
			£.	14	5	4½

DUTIES and Charges subsequent to and under the said Act.

	£.	s.	d.	£.	s.	d.
To the Corporation, in commutation under and during the operation of the said Act of 1 & 2 Will. IV. for the contra due of 4 *d.* per chaldron, the water-bailliage and groundage, and in lieu of payments to the Lord Mayor under the 9th Anne, and also in lieu of contra fees formerly paid by the factors, 4 *d.* per ton - -	4	14	4			
Note.—The above payment to the Corporation is chargeable with compensation allowances to the Lord Mayor, the late clerks of the coal-meters in trust, collector of water-bailliage, and to the late 252 deputy ship-meters and others, amounting at the present time to 16,933 *l.* 17 *s.* 6 *d.* per annum.						
On account of the London Bridge Approaches Fund:						
Payable under the present Act, as an equivalent for the contra duty of 10 *d.* per chaldron, 8 *d.* per ton on 283 tons - - - - - - - - -	9	8	8			
Coal-market Fund:						
Payable under the present Act for maintaining the said market, payment of compensation to the late land-meters for London, Westminster, Middlesex, &c., and for forming a fund for providing for the future charges of the market, 1 *d.* per ton - - - - - - - - - - - - - -	1	3	7			
				15	6	7

Guildhall, July 1836.

B. W. Scott.

Appendix, No. 11.

A STATEMENT of the Produce of the DUTY ON COALS, &c. payable under the Act of the 1st & 2d Will. IV. cap. 76, for the Maintenance of the COAL MARKET, and of the COMPENSATIONS now payable under the Provisions of the said Act, and of the Permanent Charges and Expenses of the said Market.

Appendix, No. 11.

Duty payable to the Corporation.

	£.	s.	d.
TO the produce of the duty of 1 *d.* per ton, on an average of the last four years -	8,887	18	6½
Amount of rental of the offices at the coal market - - - - - -	641	3	–
Annual dividends on 27,063 *l.* 12 *s.* 3 *d.* 3½ new per cent. annuities, purchased under the provisions of the 42d section of the Act - - - - - -	811	18	2
£.	10,340	19	8½

[The expense of receiving the above dues and the rents of offices of the coal market is 50 *l.* per annum. The remaining charges, amounting to 2,402 *l.* 9 *s.* 6 *d.* per annum, are incurred in carrying into effect the various provisions of the Act: viz. in receiving and registering in detail the returns of the shipment of coals from the several ports; the daily receipt of fitters' certificates; the arrival of ships; the quantities and qualities of coals; in defraying the expenses of repairs, taxes and other charges incidental to the market; and in enforcing the several regulations of the Act.]

COMPENSATIONS Payable under the Provisions of the Act.

	£.	s.	d.	£.	s.	d.
Compensation Allowances now payable to the following late principal and labouring land-meters for the city of London, pursuant to the 38th section of the said Act, and per order of the Lords Commissioners of the Treasury of 24th of May 1832, viz.						
	£.	s.				
To John Bumstead, late principal meter - - -	250	–				
John Edis, late clerk - - - - - - -	70	–				
John Vaughan and John Downing, 41 *l.* per ann. each	82	–				
William Sorrell, John Vass and Joseph Gilbertson, 52 *l.* per annum each - - - - - - -	156	–				
W. B. Frostick - - - - - - -	49	14				
William Faulkner, John Hawkins and John Wilson, 43 *l.* 14 *s.* each per annum - - - - -	131	2				
Joseph Hollingsworth, John Kentish, George Lidyard, John City, John J. Moring and Charles D. Rice, 36 *l.* 8 *s.* per annum each - - - - - -	218	8				
Thomas Munton - - - - - - - -	27	7				
James Abel, William Howell, R. W. Barnes, Joseph Philpot, William Stevens, John Dyer, Isaac Facey, W. G. Kerridge, Thomas Lamb, Nathaniel Collyer, Edward Edwards, George Gregory, William Little, Daniel Pamplett, S. B. Bartington, George Grove, John Bradley, Henry Hurst, John Atkinson, J. B. Kentish, William Wheeler, Wm. Saunders, Stephen Powell and John Eade, 18 *l.* 4 *s.* per annum each	436	16		1,421	7	–
Compensations now payable to the late principal and labouring land-meters for the city of Westminster, pursuant to this Act (sect. 39), and order of the Lords of the Treasury, 19 June 1832, viz.						
	£.	s.				
To Wm. Lushington, esq., late principal meter - -	300	–				
Joseph Haddock, late assistant - - - -	125	–				
John Heritage - ditto - - - - -	100	–				
M. Hulme, inspector - - - - - -	41	–				
Joseph Candler, ditto - - - - -	31	–				
James Slight - - - - - - - -	34	–				
Samuel Purser - - - - - - - -	42	18				
William M'Arthur - - - - - - -	28	12				
William Robertson - - - - - -	39	–				
Benjamin Odgers, Jeremiah Nicholls, Cuthbert Blades, Joshua Higginbotham, William Thomas, Andrew Vallance, John B. Field, C. Wickens, Archibald Tennant, N. Blogg, John Wales, Richard Coulter, James Baylis and William Breach, 26 *l.* p' ann. each	364	–				
J. B. Gray, Chas. Driver, William Naylor, Thomas Parsons, William Trenouth, James Parkin, Richard Webb, William M'Adam, John Cooper, Edward Beard, William Upton, William Chapman, Thomas Pitt, John Grubb, John Billen, Joseph Watling, Stephen Woodland, John Mann, George Thompson and Robert Dawson, 13 *l.* per annum each - -	260	–		1,365	10	–

(*continued*)

Appendix, No. 11.

Duty payable to the Corporation.

	£. s. d.	£. s. d.
Similar Compensations now payable to the principal and labouring land-meters for the counties of Middlesex and Essex, pursuant to the 38th section of the said Act, and per order of the Lords of the Treasury of 19th June 1832, viz.:		
£. s.		
To A. Sanderson, late principal meter - - - 361 13		
Cornelius Williams - - - - - - 32 10		
Thomas Jolly, George Fox, Cornelius Williams, jun., Daniel Reeves and Michael Goddard, 26 *l.* per annum each - - - - - - 130 –		
John Thomas Skirrow - - - - - 28 12		
William Bunnett - - - - - - 15 12		
John Stevenson - - - - - - 23 8		
William Goddard - - - - - - 7 16		
William Barber - - - - - - 19 10		
George M. Ball, Benjamin Wells and John Moor, 13 *l.* per annum each - - - - - 39 –		
Benjamin Watts - - - - - - 5 4		
James Cripps - - - - - - - 10 8		
George Newton - - - - - - 9 15		
	683 8 –	
Compensations to late clerks of the coal-market for loss sustained by the operation of the Act, per order Lords of the Treasury of 24th May 1832, viz.		
£. s.		
To Benjamin Wood, per annum - - - - 300 –		
James Pearsall, ditto - - - - - - 70 –		
	370 – –	
Total of Compensations payable under the Act - - -	- - -	3,840 5 –
EXPENSES of MARKET:		
Salaries to Officers and Clerks employed in the execution of the Act.		
£. s.	£. s. d.	
To William Drummer, clerk and collector, the proportion of the sum of 650 *l.* per annum payable to him for collecting the duty under the aforesaid Act, and the duty payable to the Corporation and to the London Bridge Approaches Fund - - - - 50 –		
To James Pearsall, clerk and registrar, subject to the expense of providing assistance in the discharge of the duties of his office - - - - - - 650 –		
To John Day, upper beadle, and for providing coals and stationery for the market - - - - 140 –		
To William Hobbs, under beadle - - - - 100 –		
To clerk in the Coast-office, Custom-house, for daily returns of shipping - - - - - - 60 –		
To Henry Woodthorpe, Esq., town clerk, for his services under the Act of Parliament, and including expenses of clerks, books and stationery - - 150 –		
To Mr. Chamberlain's clerk's allowance - - - 100 –		
To Mr. Hallkeeper and his assistants, ditto - - 36 15		
	1,286 15 –	
Repairs of market, average of four years - - - -	238 14 7	
Rates, taxes and insurance of ditto (same average) - - -	263 17 7	
Printing, stationery, postage, &c. at the market, and sundry incidental charges and expenses, including the expenses of the committee in auditing the various accounts, and in the general execution of the Act, limited by the Court of Common Council to 300 *l.* per annum - - - - - - - - -	663 2 4	
Probable permanent charge in relation to the Market - -	- - - -	2,452 9 6
		6,292 14 6
Annual surplus, during the payment of the foregoing compensations, applicable to investment in Government securities, under the provisions of the 42d sect. of the Act - - - - - - - - - - -		4,048 5 2½
	£.	10,340 19 8½

Chamberlain's-office, 28 June 1836. *B. W. Scott.*

Appendix, No. 12.

Appendix, No. 12.

Explanation of Item in preceding Account.

AN ACCOUNT, in detail, of the Items forming the Sum of £. 798. 0 *s.* 9 *d.*, paid in the Year 1835, out of the COAL MARKET FUND, for Rates, Taxes, and Insurance of Market, Stationery, Printing, and sundry Incidental Expenses.

	£.	*s.*	*d.*	£.	*s.*	*d.*
Watch-rate, one year	21	–	–			
Tithes, ditto	10	15	–			
Consolidated-rate, ditto	28	–	–			
Sewer-rate, ditto	8	–	–			
Poor-rate, ditto	78	–	–			
Assessed taxes, ditto	72	4	6			
Water-rent, ditto	3	10	–			
Rent-charges on Market, ditto	16	6	–			
				237	15	6
Union Assurance, for Duty on Insurance of Market (the insurance being septennial)	15	–	–			
Equitable Assurance, for Premium on Policies assigned to the Corporation for securing the payment of duties due to this Fund, and interest thereon	91	13	–			
Mr. Pearsall, sundry disbursements	66	7	11			
Stationery, books, &c.	42	9	7			
Printing and Acts of Parliament	22	15	3			
Gas lighting	14	19	6			
Cocked laced hats for beadles (two years)	7	–	–			
Expenses of Committee charged with the execution of the Act*	300	–	–			
				560	5	3
			£.	798	–	9

Guildhall, 20 July 1836. *B. W. Scott.*

* The sum of 300 *l.* is charged upon the coal market fund, in pursuance of an order of the court of common council, and is expended in entertainments of the committee, consisting of 46 members, in the superintendence and management of the coal market, and the carrying into execution the several provisions of the Act of Parliament. The committee met 37 times in the last year.

The sum of 250 *l.* is allowed to the committee out of the City's cash, in addition to the above sum of 300 *l.*

Chamberlain's Office, 23 July 1836. *B. W. Scott.*

Appendix, No. 13.

Appendix, No. 13.

Dues on Sea-borne Articles.

A LIST of all DUES, TOLLS or RATES levied under any Power or Authority vested in the Corporation of *London*, upon all Articles Sea-borne and entered Inwards from the Ports of the United Kingdom in the Port of *London*, and how levied; a Return of the Amount so received, distinguishing the Amount received upon Coals from the Amount received for all other Goods, Wares or Merchandize, for the last Two Years.

DESCRIPTION of DUES, TOLLS, &c., or RATES.	Dues, Toll or Rate, how levied.	Amounts received in the Years 1834. £. *s.* *d.*	1835. £. *s.* *d.*
COALS.—Duty on all coals, culm and cinders imported into the Port of London, pursuant to the Act of the 1st & 2d of Will. IV. c. 76, for abolishing the sale of coals by measure, for the repair and maintenance of the Coal market, the payment of the salaries of the officers of the said market, and payment of compensations to late labouring land coal meters, and the investment of surplus, 1 *d.* per ton	Payable by factor	8,524 1 9	9,594 4 –
—— Duty on coals, culm, &c. so imported, pursuant to the Acts of 10th Geo. 4, c. 136, and 11th Geo. 4, c. 64, applicable, with other duties and payments, in payment of interest and ultimate liquidation of the monies raised for making the approaches to London Bridge and other improvements, 8 *d.* per ton	The like	68,192 14 –	76,753 12 –

Appendix, No. 13.

Dues on Sea-borne Articles.

DESCRIPTION of DUES, TOLLS, &c., or RATES.	Dues, Toll or Rate, how levied.	Amounts received in the Years 1834.	1835.
		£. s. d.	£. s. d.
COALS.—Payment on coals, culm, &c. so imported pursuant to the above Act of 1st & 2d Will. IV. c. 76, in commutation of the sum of 4 *d.* per chaldron payable to the corporation, for the metage, groundage and water-bailliage of coals, and of the payments to the mayor, under the 9th Ann, c. 28, and chargeable with the compensations payable to the Lord Mayor, deputy coal meters and others, on the abolition of the metage of coals, 4 *d.* per ton - -	Payable by factor -	34,096 7 -	38,376 16 -
CORN, &c. METAGE DUES.—Corn and measurable seeds imported into the Port of London from the ports of the United Kingdom, ½ *d.* per quarter, Winchester measure - - - - -	Payable by seller or factor - -	4,548 16 2¾	4,700 15 6¾
—— All corn and seeds brought coastwise (except the Cinque Ports) imported by non-freemen, per quarter, ¼ *d.* -	Chargeable on five quarters or upwards, and payable by the factor or importer -	2,111 11 7 (Estimated amount.)	1,867 16 1
—— Wheat, malt, maize or brank, on the whole quantity imported of each sort, 6 *d.* - - - - - -			
—— Barley, oats, beans, peas, tares, rye and seeds (except mustard and clover seed) on the whole quantity imported of each sort, 1 *s.* 6 *d.* - - -			
—— Mustard and clover seed on the whole quantity imported of each sort, 3 *s.* 6 *d.* - - - - -			
—— On each vessel, 1 *s.* 2 *d.* - - -			
CORN AND SEEDS FROM THE CINQUE PORTS.—Wheat, malt, maize or brank, on the whole quantity imported of each sort, 6 *d.* - - - - -			
—— Barley, oats, beans, peas, tares, rye and seeds, including mustard and clover seed, on the whole quantity imported of each sort, 1 *s.* 6 *d.* - -			
—— On each vessel, 9 *d.* - - - - (Exclusive of charges for labour.)			
FRUIT, ROOTS, &c.—On apples, pears, onions, &c., per bushel, 1 *d.* - - -	Payable by the owner. - - -	12 10 10	32 14 2
—— Potatoes, carrots, turnips and other roots, per sack, 1 *d.* - - - -		4,326 15 9	5,093 15 -
—— On the whole quantity imported of each sort, 1 *s.* 6 *d.* - - -	Payable by importer or merchant on one ton or 40 bushels and upwards.	171 15 -	192 - -
—— Each vessel, except from the Cinque Ports, or having corn on board, 1 *s.* 2 *d.* - - - - -			
—— Each vessel from the Cinque Ports, 9 *d.*			
—— Each vessel having corn on board, 8 *d.*			
FRUITS, PERISHABLE.—Cherries, plums, &c., on the whole quantity imported, each vessel, 1 *s.* 8 *d.* - - - -			
BUTTER.—On 20 firkins and above, per firkin, ¼ *d.* - - - - - - -	Payable by the importer or merchant	621 13 4	562 7 -
CHEESE.—One ton and above, per ton, 8 *d.* -			
—— On each vessel laden with butter or cheese, 3 *s.* 2 *d.* - - - -			
—— And if with corn or fruit, 2 *s.* 8 *d.* -			
CURED FISH.—One ton or 10 barrels and above, on the whole quantity imported, each vessel, 1 *s.* 8 *d.* - - -			
EGGS.—Ten chests or above, on the whole quantity imported, on each vessel, 2 *s.* - - - - - -			
SALT.—Common salt, on the whole quantity imported, on each vessel, 5 *s.* 8 *d.* -	Payable by the importer or merchant on one ton or 40 bushels and upwards -	23 8 8	18 13 -
—— Physical salt, on the whole quantity imported, on each vessel, 2 *s.* 10 *d.*			
OYSTERS.—Metage, per bushel, ½ *d.* (exclusive of charges for labour and market and dock dues) - - - - -	Payable by the owner -	336 2 5½	313 12 4½

Guildhall, London, 30 June 1836.

Henry Woodthorpe, Town Clerk.

Appendix, No. 14.

RETURN of the AMOUNT Paid in the Year 1799 by His Majesty's Government to the Richmond Family, for the DUTY of ONE SHILLING per Chaldron on all Coals from the Tyne, commonly called the Richmond Shilling.

No duty of 1 *s.* per chaldron on coals from the Tyne was paid at the Exchequer to the Richmond Family in the year 1799.

There was paid at the Exchequer, per Act 39 & 40 Geo. 3, c. 43, out of the Consolidated Fund, to the Duke of Richmond, in lieu of the above duty, the following annuity, viz.:

	£.	*s.*	*d.*	£.	*s.*	*d.*
From 5 July 1799 to 5 Jan. 1800, on 19,000 *l.* per annum	-	-	-	9,500	-	-
5 Jan. 1800 to 5 Jan. 1801, on - - ditto -	-	-	-	19,000	-	-
5 Jan. 1801 to 10 Oct. 1801, on - - ditto -	14,250	-	-			
On the 25th November 1801, was paid to the Governor & Company of the Bank of England, to be invested in Stock, in the names of the Right hon. Earl Bathurst and others, trustees, for producing an interest of 6,333 *l.* 6*s.* 8 *d.*, one-third part of the annuity - -	144,611	2	-			
From 10 Oct. 1801 to 5 Jan. 1802, on 12,666 *l.* 13*s.* 4 *d.* per annum, the remaining two-thirds of the said annuity - - - - - - - - - - -	3,166	13	4			
				162,027	15	4
From 5 Jan. 1802 to 5 Jan. 1803, on 12,666 *l.* 13*s.* 4 *d.*	-	-	-	12,666	13	4
5 Jan. 1803 to 5 Jan. 1804, on - ditto - -	-	-	-	12,666	13	4
5 Jan. 1804 to 5 Jan. 1805, on - ditto - -	-	-	-	12,666	13	4
5 Jan. 1805 to 5 Jan. 1806, on - ditto - -	-	-	-	12,666	13	4
5 Jan. 1806 to 5 Jan. 1807, on - ditto - -	-	-	-	12,666	13	4
5 Jan. 1807 to 5 Jan. 1808, on - ditto - -	-	-	-	12,666	13	4
5 Jan. 1808 to 5 Jan. 1809, on - ditto - -	-	-	-	12,666	13	4
5 Jan. 1809 to 10 Oct. 1809, on - ditto - -	9,500	-	-			
On the 3d November 1809, was paid to Joseph Alcock, esq., for the purchase of Stock, as above - - -	146,194	14	-			
From 10 October 1809 to 5 Jan. 1810, on 6,333 *l.* 6*s.* 8 *d.* per annum, the remaining one-third of the said annuity - - - - - - - - - - -	1,583	6	8			
				157,278	-	8
From 5 Jan. 1810 to 5 Jan. 1811, on 6,333 *l.* 6*s.* 8 *d.* per annum - -				6,333	6	8
5 Jan. 1811 to 5 Jan. 1812, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1812 to 5 Jan. 1813, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1813 to 5 Jan. 1814, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1814 to 5 Jan. 1815, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1815 to 5 Jan. 1816, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1816 to 5 Jan. 1817, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1817 to 5 Jan. 1818, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1818 to 5 Jan. 1819, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1819 to 5 Jan. 1820, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1820 to 5 Jan. 1821, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1821 to 5 Jan. 1822, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1822 to 5 Jan. 1823, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1823 to 5 Jan. 1824, on - ditto - - -	-	-	-	6,333	6	8
5 Jan. 1824 to 5 July 1824, on - ditto - -	3,166	13	4			
On the 14th July 1824, was paid to William Hill, esq., for the purchase of Stock, as before, the remainder of the annuity - - - - - - - - -	200,027	15	6			
				203,194	8	10
			£.	728,333	11	6

Exchequer, 27 July 1836. *Ashm. Bulley.*

Appendix, No. 15.

Appendix, No. 15. Richmond Duty.

A RETURN of the AMOUNT Paid in the Year 1799 by His Majesty's Government to the Richmond Family, for the DUTY of ONE SHILLING per Chaldron on all Coals from the Tyne, commonly called the Richmond Shilling; and also, of the AMOUNT of DUTY received by the Customs in each Year from that period to its Repeal in 1831.

(So far as relates to the Amount of Duty received by the Customs.)

YEAR.	Amount of Duty of 1s. per Chaldron, Newcastle Measure, on all Coals shipped Coastwise from the Port of Newcastle-upon-Tyne.	YEAR.	Amount of Duty of 1s. per Chaldron, Newcastle Measure, on all Coals shipped Coastwise from the Port of Newcastle-upon-Tyne.
	£.		£.
1799 (part of the Year)	8,288	1816	33,757
1800	27,157	1817	31,148
1801	22,689	1818	33,593
1802	24,885	1819	31,999
1803	25,335	1820	37,825
1804	28,996	1821	34,616
1805	27,641	1822	32,757
1806	29,413	1823	36,945
1807	26,497	1824	34,380
1808	30,956	1825	34,351
1809	26,954	1826	39,618
1810	31,614	1827	34,187
1811	31,667	1828	36,254
1812	31,531	1829	36,921
1813	29,209	1830	40,878
1814	34,707	1831 (to 1st March)	4,392
1815	32,496		
		TOTAL £.	1,043,856

Inspector-General's Office,
Custom-house, London,
25 July 1836.

William Irving,
Inspector-General of Imports and Exports.

Appendix, No. 16.

Appendix, No. 16. Coals Exported.

ACCOUNT of the Quantity of COALS Exported in the Years 1828 to 1835 inclusive.

[*Porter's Tables*, Part 3, p. 210.]

	Coals, (except small)	Small Coals.	Cinders.	Culm.	Total.	
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	
1828	192,542	163,246	1,180	896	357,864	
1829	195,153	171,357	4,261	558	371,329	
1830	253,088	248,717	2,081	533	504,419	
1831	325,622	182,123	2,501	585	510,831	-- From 1st March duty reduced from 5*s.* 9*d.* to 3*s.* 4*d.* per ton.
1832	367,547	217,836	2,735	328	588,446	
1833	405,657	223,819	4,008	964	634,448	
1834	459,712	150,044	3,654	1,845	615,255	-- On 6th August duty reduced from 3*s.* 4*d.* per ton to 10*s.* per cent. *ad valorem*.
1835	729,478	-- not distinguished in return.	3,964	2,618	736,060	-- Parl. Paper, 228 of 1836.

Showing an increase of 46 per cent. in 1835, as compared with 1830.

Appendix, No. 17.

Appendix, No. 17. Coals shipped Coastwise, &c.

A STATEMENT showing the Total Quantity of COALS, CINDERS and CULM shipped Coastwise, and exported to Foreign Countries from the Ports of the United Kingdom, in the Years 1834 and 1835.

Divisions of the United Kingdom from which Shipped.	1834.			1835.		
	COALS, CINDERS AND CULM.			COALS, CINDERS AND CULM.		
	Shipped Coastwise from Ports adjacent to the Collieries.	Exported from the same Ports directly to Foreign Countries.	Aggregate Quantity Sea-borne.	Shipped Coastwise from Ports adjacent to the Collieries.	Exported from the same Ports directly to Foreign Countries.	Aggregate Quantity Sea-borne.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*
England - -	5,277,169	523,617	5,800,786	* 5,594,020	640,275	6,234,295
Scotland -	509,169	47,268	556,437	512,734	49,277	562,011
Ireland - -	3,133	- - -	3,133	2,605	- - -	2,605
Total - -	5,789,471	570,885	6,360,356	6,109,359	689,552	6,798,911

* The shipments coastwise, from the Port of Liverpool in 1835, of which there is no official record, have been estimated in this Statement at 40,000 tons.

Inspector-General's Office, Custom-House, London, 7 July 1836. } *W. Irving.*

Appendix, No. 18.

Appendix, No. 18. Coal and Culm imported.

A STATEMENT of the Quantity of COALS and CULM brought into London in the Years 1832, 1833, 1834 and 1835; distinguishing the Quantity brought into the Port of London from those brought Inland, and the Amount of Duty received thereon under the Act 1 & 2 Will. IV. c. 76, for maintaining the Market for the Sale of Coals, &c.

——	Sea-borne.	Inland.	Duty on Sea-borne.	Duty on Inland.	Total Duty.
			£. s. d.	£. s. d.	£. s. d.
In 1832 -	2,130,608	10,742	8,877 10 8	44 15 2	8,922 5 10
1833 -	2,035,410	4,395 ¼	8,480 17 6	18 6 3¼	8,499 3 9¼
1834 -	2,045,781	1,862	8,524 1 9	7 15 [illegible]	8,531 16 11
1835 -	2,302,608	1,004 ½	9,594 4 -	4 3 8½	9,598 7 8½

The above are the quantities of Sea-borne coals, calculated upon the entries for payment of duties from the 1st of January to the 31st of December inclusive in each year; and, of course, do not exactly correspond with the quantities on the importation, as calculated from the arrivals in the same periods, which are as follows:—

	Number of Ships.	Tons.
1832 -	7,528	2,139,078
1833 -	7,077	2,010,409
1834 -	7,404	2,078,025
1835 -	7,958	2,298,812

Chamberlain's Office, Guildhall, 11 July 1836. } *B. W. Scott.*

Appendix, No. 19.

AN ACCOUNT of Coal, Culm and Cinders Imported into and Delivered in the Port of *London*, during the Year 1830, and Sold at the Coal Market; specifying the Exact Quantities of each particular Sort.

IMPORTED.				DELIVERED.		
Ships.	Chaldrons.	Vats.	NEWCASTLE COAL:	Chaldrons.	Vats.	Ships.
79	23,855	–	Adair's	24,039	–	80
5	1,059	3	Arcot	1,059	3	5
37	11,213	1	Beaumont	10,523	1	35
32	5,698	2	Bishop's Main	5,698	2	32
35	9,129	1	Bensham	8,610	3	33
18	4,183	2	Charlotte	4,616	–	20
1	153	–	Cramlington	153	–	1
1	127	2	Coxlodge	127	2	1
1	192	1	Clavering	357	3	2
1	231	2	Clark & Co. Main and W. E. mixed.	231	2	1
54	11,833	2	Dean's Primrose	11,674	1	54
53	10,768	–	East Percy	10,942	3	54
2	393	3	Forest	393	3	2
31	7,334	2	Felling	7,334	2	31
1	107	1	Gray's Steam	107	1	1
110	24,546	2	Hebburn	23,993	2	108
111	31,844	2	Holywell	32,124	1	113
2	433	2	Heaton	433	2	2
1	97	–	Jarrow	97	–	1
22	5,068	2	Kenton West	5,284	3	23
150	42,286	1	Killingworth	43,263	1	153
50	14,113	2	Liddell	14,380	2	51
12	3,735	3	Newburn	3,735	3	12
38	11,768	3	Ord's Redheugh	11,378	2	37
121	24,884	1	Pelaw	24,921	1	121
53	12,198	2	Percy Main Bensham	11,860	3	52
49	14,423	3	Pontop Windsor	14,754	3	50
6	1,327	3	Pitt's South Moor	1,173	1	7
–	–	–	Sheriff Hill	123	–	1
47	13,131	2	Shipcote	13,406	1	48
9	1,960	2	South Holywell	1,960	2	9
119	30,263	3	Tanfield	30,012	2	118
28	8,326	1	Tanfield Lea	8,308	–	28
96	29,438	1	Townley	28,775	–	94
77	19,666	1	Willington	19,820	2	78
3	838	1	Wharncliffe	838	1	3
80	24,673	–	Wylam	24,703	2	80
3	698	1	West Hartley	439	–	2
–	–	–	Old Walker	936	3	1
1,538	402,055	–		402,193	3	1,544
			NEWCASTLE WALLSEND:			
71	17,989	1	Bell & Brown	18,112	1	72
188	44,427	–	Bell, Robson & Co.	44,609	1	189
9	2,236	1	Bensham	2,455	1	10
190	48,601	–	Bewicke	49,745	1	194
19	4,252	2	Blake	3,785	–	17
51	8,557	–	Boundary	9,111	1	54
111	27,340	1	Burraton	26,136	–	103
123	30,810	–	Brown's	31,429	2	125
77	18,622	–	Carr & Co.	19,885	1	83
71	17,923	1	Callerton	16,060	3	65
122	28,227	2	Clark & Co.	28,089	1	122
89	20,972	–	Cramlington	22,419	2	95
3	535	1	Ellison	535	1	3
1	123	2	Greenwell	123	2	1
162	39,363	3	Gosforth	38,209	2	158
136	36,604	–	Heaton	37,173	–	138
5	905	–	Heworth	905	–	5
107	31,555	2	Hilda	30,536	2	105
144	34,788	–	Hotspur	34,730	1	144
6	1,401	3	Monkseaton	1,173	3	5
172	41,600	2	Newmarch	41,265	2	171
187	45,947	–	Northumberland	46,708	3	190
56	12,859	3	Peareth	13,230	2	58
146	35,277	2	Perkins	35,296	1	146
144	35,698	–	Riddell	36,957	–	149
99	25,643	2	Russell	26,794	3	103
100	26,665	2	Walker	26,347	1	100
2,589	638,926	2		641,825	1	2,610

IMPORTED.				DELIVERED.		
Ships.	Chaldrons.	Vats.	SMALL COAL:	Chaldrons.	Vats.	Ships.
1	46	1	Adare	46	1	1
2	388	1	Beamish South Moor	388	1	2
1	61	3	Black Boy	61	3	1
–	–	–	Dean's Primrose	171	1	1
29	5,400	–	Ellison	5,294	2	29
20	5,500	3	Hebburn	5,731	1	21
1	158	–	Llangennech	158	–	1
2	381	–	Newcastle	381	–	2
1	29	1	New Coundon and Black Boy.	29	1	1
2	171	1	New Etherley	171	1	2
54	4,513	2	Old Etherley	4,551	1	55
3	446	–	Small	446	–	3
16	3,307	3	Tyne	3,307	3	16
8	2,207	1	W. E. Brown	2,207	1	8
11	3,037	2	Callerton	3,037	2	11
1	304	–	Carr & Co.	304	–	1
2	547	3	Chipstead	547	3	2
2	340	2	Davison	51	3	1
–	–	–	Eden	186	3	1
16	3,457	2	Gosforth	3,457	2	16
–	–	–	Hetton	235	–	1
–	–	–	Jesmond	188	3	1
8	1,608	–	Lambton	1,608	–	8
1	177	–	Newmarch	177	–	1
2	103	–	Norwood Hetton	103	–	2
1	226	3	Perkins	226	3	1
1	458	1	Russell's & Bell & Brown's mixt	458	1	1
1	179	–	Simpson	179	–	1
24	4,849	3	Stobart's	4,849	3	24
4	183	1	Tees	183	1	4
5	761	1	Woodside	761	1	5
21	4,398	1	Wallsend	4,133	2	20
241	43,370	1		43,761	1	245
			SUNDERLAND COAL:			
2	380	2	Beamish South Moor	380	2	2
16	2,692	1	Eden	2,692	1	16
2	307	2	Eden New Eden	307	2	2
1	209	–	Fawcett	209	–	1
98	17,956	2	Lambton Primrose	18,839	–	102
–	–	–	Harraton	142	–	1
3	428	1	Russell's High Main	428	1	3
12	2,347	3	Russell's Lyon's Main	2,347	3	12
1	135	1	Lyon's Main	135	1	1
2	415	1	Stobart's Bowse	415	1	2
5	703	3	Stobart's Primrose	703	3	5
1	145	3	Stobart's Eden	145	3	1
2	241	–	Wear Primrose	241	–	2
1	108	3	Wade's Harraton	108	3	1
146	26,071	2		27,096	–	151
			SUNDERLAND WALLSEND:			
2	191	3	Eden	–	–	–
642	136,260	3	Hetton	134,352	2	636
184	40,660	1	Lambton	39,658	2	181
207	37,890	1	Lyon's	36,935	1	202
3	188	–	Nut	188	–	3
158	32,396	2	Russell's Hetton	32,297	3	157
34	6,318	–	Russell's Lyon's	5,904	2	32
1	148	1	Simpson	148	1	1
1	257	3	Springwell	475	1	2
639	143,728	–	Stewart's	142,744	3	636
10	1,521	1	Stobart's	1,521	1	10
2	469	3	Wade's Hebdon	469	3	2
1	144	3	Wear	144	3	1
1,884	400,175	1		394,840	2	1,863

BLYTH, SCOTCH, WELSH AND YORKSHIRE.

IMPORTED. Ships.	Chaldrons.	Vats.		DELIVERED. Chaldrons.	Vats.	Ships.
8	824	1	Barnsley New	677	3	7
13	1,701	2	Blyth	1,701	2	13
1	115	–	Brislie	115	–	1
1	15	2	Banknock	15	2	1
1	74	3	Blundell's Orrell	74	3	1
–	1	1	Cannell	1	1	–
84	14,656	2	Cowpen	14,637	–	83
1	51	1	Creswell	51	1	1
7	812	3	Fordel	812	3	7
1	117	1	Fenton's Haigh Moor	117	1	1
1	20	3	Gartsherry	20	3	1
11	2,089	3	Halbeath	1,837	–	10
113	28,508	–	Hartley	28,759	1	114
1	59	3	Kirkham	59	3	1
55	8,728	–	Llangennech	8,982	1	57
9	1,451	2	Landshipping	1,869	2	11
9	1,154	3	New Flockton	1,001	3	8
2	334	1	Old Haigh Moor	132	1	1
1	113	3	Soughton	–	–	–
90	10,389	2	Silkstone	10,544	3	91
35	5,435	1	Stone	5,091	2	34
4	305	–	Swallow Wood	305	–	4
2	207	3	Tenby	207	3	2
2	372	2	Wain Wilt	93	1	1
28	5,428	3	Warde's Llanelly	5,211	3	27
1	104	2	Wemyss	104	2	1
2	398	3	Wellwood	398	3	2
1	46	–	Welsh	46	–	1
1	16	–	Union	16	–	1
1	32	1	Yorkshire	32	1	1
27	6,205	1	W. E. Elgin	6,349	1	28
2	405	1	Greenwich Hos.	405	1	2
5	779	–	Henderson	779	–	5
8	1,146	2	Haverland	1,002	–	7
2	314	–	Overton	314	–	2
2	291	–	Rockley	291	–	2
18	4,082	2	Selby	4,082	2	18
1	161	2	Warsboro	161	2	1
551	96,951	3		96,302	2	548

STOCKTON COAL.

7	941	2	Black Boy	941	2	7
2	175	1	Black Boy Splint	175	1	2
1	31	3	Eden	31	3	1
1	50	3	Eden and Eldon mixed	50	3	1
17	1,740	1	Old Etherley	1,616	1	15
–	–	–	Old Etherley and Black Boy.	134	2	1
2	63	2	Shildon	63	2	2
8	1,545	–	W. E. Adelaide	1,346	1	7
1	104	3	Butter Knowle	–	–	–
9	1,394	–	Cleveland	1,030	2	6
1	47	3	New Etherley	47	3	1
20	3,196	3	Norwood Hetton	3,196	3	20
29	4,716	2	Tees	4,548	3	28
98	14,007	3		13,183	2	91

CANNELL, SCOTCH, CINDERS AND CULM.

IMPORTED. Ships.	Tons.	Qrs.		DELIVERED. Tons.	Qrs.	Ships.
8	350	–	Cannell	350	–	8
4	108	3	Dysart	108	3	4
1	1	–	Kircaldy	1	–	1
1	4	–	Wemyss	4	–	1
14	463	3		463	3	14
Ships.	**Chaldrons.**	**Vats.**		**Chaldrons.**	**Vats.**	**Ships.**
–	373	2	Cinders in various ships	373	2	–
47	8,409	1	Culm	8,478	1	47
47	8,782	3		8,851	3	47

MONTHLY IMPORTS AND MONTHLY DELIVERY.

IMPORTED. Ships.	Chaldrons.	Vats.		DELIVERED. Chaldrons.	Vats.	Ships.
264	59,917	–	January	109,191	3	476
650	153,144	3	February	118,144	2	503
630	151,910	–	March	157,675	1	657
563	132,638	1	April	125,417	1	531
532	120,995	2	May	120,097	1	518
405	89,425	2	June	121,331	1	542
657	144,735	–	July	127,990	1	580
628	134,247	2	August	144,652	2	667
793	177,058	2	September	139,751	2	639
771	177,856	1	October	174,508	2	768
682	162,322	1	November	162,621	2	699
533	126,554	–	December	127,136	3	533
7,108	1,630,804	2		1,628,518	1	7,113

RECAPITULATION.

IMPORTED. Ships.	Chaldrons.	Vats.	Tons.		DELIVERED. Chaldrons.	Vats.	Tons.	Ships.
1,538	402,053	–	–	Newcastle	402,193	3	–	1,544
2,589	638,926	2	–	Newcastle Wallsend	641,825	1	–	2,610
146	26,071	2	–	Sunderland	27,096	–	–	151
1,884	400,175	1	–	Sunderland Wallsend	394,840	2	–	1,863
98	14,007	3	–	Stockton	13,183	2	–	91
551	96,951	3	–	Blyth, Scotch, Welsh and Yorkshire.	96,302	2	–	548
241	43,370	1	–	Small	43,761	1	–	245
7,047	1,621,553	–	–		1,619,202	3	–	7,052
14	–	–	463 3	Cannell, Dysart, &c.	–	–	463 3	14
–	373	2	–	Cinders	373	2	–	–
47	8,409	1	–	Culm	8,478	1	–	47
7,108	1,630,340	3	463 3		1,628,054	2	463 3	7,113

	Ships.	Chaldrons.	Vats.
Importation in 1825	6,564	1,456,162	1
Importation in 1826	6,810	1,600,229	2
Importation in 1827	6,491	1,476,331	2
Importation in 1828	6,750	1,537,694	1
Importation in 1829	6,992	1,583,511	1
Importation in 1830	7,108	1,630,804	2

(continued)

IMPORTATION AND DELIVERY ACCOUNT OF COAL, CULM AND CINDERS.

Dr. Cr.

—	Ships.	—	Chaldrons.	Vats.	Tons.	—	Ships.	—	Chaldrons.	Vats.	Tons.
1830: Jan. 1	248	To Balance remaining uncleared of last Year's Importation.	59,265	–	–	1830: Dec. 31	7,052	By Net Amount of Delivery of Coal, as per Recapitulation.	1,619,202	3	–
Dec. 31	7,047	To Net Importation of Coal for the Year, as per Recapitulation.	1,621,558	–	–	—	–	By ditto Cinders, as per ditto.	373	2	–
—	–	To ditto ditto of Cinders, as per ditto.	373	2	–	—	47	By ditto Culm, as per ditto.	8,478	1	–
—	47	To ditto ditto of Culm, as per ditto.	8,409	1	–	—	14	By ditto Cannell, Dysart, &c. per ditto.	– –	–	463 3
—	14	To ditto ditto of Cannell, Dysart, &c. as per ditto.	– –	–	463 3	—	243	By Balance remaining uncleared of this Year's Importation, and which will form part of the delivery for 1831.	61,551	1	–
	7,356		1,689,605	3	463 3		7,356		1,689,605	3	463 3

Office of Clerks of the Market, 1 March 1831.

James Pearsall, One of the Clerks of the Market.

Appendix, No. 20.

AN ACCOUNT of COAL, CULM and CINDERS Imported into and Delivered in the Port of *London* during the Year 1831, and Sold at the Coal Market; specifying the exact Quantities of each particular Sort.

IMPORTED.			—	DELIVERED.		
Ships.	Chaldrons.	Vats.		Chaldrons.	Vats.	Ships.
			NEWCASTLE COAL:			
61	18,705	1	Adair's	18,474	2	61
27	7,646	1	Beaumont	8,678	1	30
14	2,412	2	Bishop's Main	2,412	2	14
108	23,629	1	Bensham	23,393	1	107
2	338	–	Blake's	338	–	2
5	1,311	3	Bell & Co. Low Main	1,311	3	5
1	270	–	Bewicke & Co. Bean	270	–	1
4	892	–	Charlotte	892	–	4
66	15,300	3	Dean's Primrose	14,794	–	64
26	5,231	2	East Percy	4,574	3	23
1	170	–	Earsdon	170	–	1
2	268	1	Ellison Main Bean	268	1	2
41	10,473	3	Felling	9,818	–	39
1	238	3	Forest	238	3	1
–	90	1	Greenwell Bean	90	1	–
1	181	2	Greenwell Bean & Jesmond.	181	2	1
14	3,103	1	Garesfield	2,886	–	13
8	1,446	–	Gosforth Bean	1,446	–	8
4	965	2	Howard's Main	751	–	3
112	24,910	3	Hebburn	25,827	3	115
94	30,746	–	Holywell	31,744	–	97
2	305	2	Heaton	305	2	2
148	42,064	1	Killingworth	41,734	3	147
27	6,310	2	Kenton West	6,310	2	27
16	4,158	2	Liddell	4,158	2	16
2	264	3	Long Benton	264	3	2
2	508	3	Montague	508	3	2
10	3,202	1	Newburn	2,860	1	9
4	904	1	Newcastle Bean	904	1	4
32	9,321	2	Ord's Redheugh	9,711	3	33
1	392	–	Ord's Redheugh and Beaumont.	392	–	1
5	1,157	2	OustonMain,unscreened	1,157	2	5
85	16,360	1	Pelaw	16,825	2	87
26	5,874	1	Percy Main Bensham	6,391	2	28
2	513	–	Pitt's South Moor	513	–	2
63	17,748	–	Pontop Windsor	17,476	3	62
12	2,999	1	South Holywell	2,749	–	11
1	342	1	South Moor	342	1	1
3	479	1	St. Lawrence Main	229	1	2
61	17,919	3	Shipcote	17,452	1	59
1	165	2	Shipcote and Tanfield	165	2	1
111	27,517	–	Tanfield	27,970	1	112
1,481	386,576	2		387,889	3	1,481
			NEWCASTLE WALLSEND:			
1	174	3	Bede's	174	3	1
11	2,618	–	Blake's	3,085	2	13
93	22,452	–	Bell & Brown's	22,691	1	94
131	32,454	1	Bell, Robson & Co.	32,843	1	133
206	51,973	2	Bewicke	50,437	3	201
106	27,077	2	Brown's	27,941	–	109
68	17,915	2	Burraton	18,941	2	71
34	5,883	2	Boundary	5,885	–	34
1	111	–	Boundary and Mount Moor.	111	–	1
1	302	1	Callerton & Brown's	302	1	1
67	18,183	2	Callerton	19,437	3	71
65	15,641	3	Carr & Co.	15,105	1	63
99	23,979	3	Clark & Co.	22,823	1	95
15	3,765	–	Cramlington	4,006	–	16
1	254	1	Callerton & Ord's Redheugh.	254	1	1
121	30,740	2	Gosforth	30,950	1	122
9	1,316	–	Greenwell	1,316	–	9
139	37,210	1	Heaton	36,569	3	137
128	38,566	1	Hilda	39,744	–	131
131	31,280	1	Hotspur	31,748	3	133
10	2,144	–	Jesmond	2,144	–	10
4	893	3	Killingworth	178	3	1
19	4,008	1	Monkseaton	4,236	1	20
156	39,155	1	Newmarch	38,423	–	154
170	41,326	–	Northumberland	41,977	–	173
76	17,742	–	Peareth	16,837	1	72
106	26,440	1	Perkins	25,388	–	102
122	31,322	2	Riddell's	32,097	1	125
55	14,452	3	Russell's	13,254	1	51
102	26,401	1	Walker	26,355	2	101
2,247	565,785	3		565,259	3	2,245

IMPORTED.				DELIVERED.		
Ships.	Chaldrons.	Vats.		Chaldrons.	Vats.	Ships.
			SMALL COAL:			
7	1,766	3	Adair's	1,179	3	5
1	184	–	Beamish South Moor	184	–	1
1	161	1	Beamish South Moor, Primrose.	161	1	1
1	87	–	Dewley	87	–	1
7	1,285	1	Ellison	1,319	3	7
1	216	2	Eden Main	216	2	1
2	383	3	Felling	241	3	1
4	1,015	–	Hebburn	1,015	–	4
3	515	3	Montague	515	3	3
2	433	–	Newcastle	168	2	1
1	199	3	New Eden	199	3	1
6	1,110	2	Primrose	1,110	2	6
6	1,855	1	Shipcote	1,855	1	6
1	198	–	South Holywell	–	–	–
1	269	3	St. Lawrence	269	3	1
1	284	3	Tyne	284	3	1
1	292	1	Townley	292	1	1
1	232	3	Wortley	232	3	1
1	153	1	W. E. Adelaide	153	1	1
1	162	3	Beamish South Moor.	162	3	1
1	211	–	Brown's	211	–	1
1	202	–	Boundary	202	–	1
1	47	3	Butter Knowle	47	3	1
10	2,666	3	Callerton	2,666	3	10
1	360	2	Callerton and Montague Main.	360	2	1
1	208	3	Davison	497	2	2
2	459	–	Gosforth	459	–	2
2	472	–	Hetton	214	3	1
1	287	–	Heaton	–	–	–
1	257	2	Lambton	257	2	1
1	194	2	Londonderry	194	2	1
10	1,100	3	Old Etherley	1,100	3	10
1	186	2	Russell's	186	2	1
4	787	1	Russell's Hetton	787	1	4
11	2,164	3	Stobart's	2,164	3	11
11	1,614	2	Small	2,150	2	13
3	611	2	Whitton Park	611	2	3
111	22,639	1		21,762	3	107
			SUNDERLAND COAL:			
41	9,027	–	Bell's Primrose	8,241	–	37
9	1,549	2	Beamish South Moor	1,549	2	9
1	226	2	Beamish South Moor and Stobart's Primrose.	226	2	1
17	3,307	–	Eden Main	3,307	–	17
1	117	3	Denmark Main	117	3	1
3	457	3	Hetton High Main	457	3	3
1	33	1	Harraton	33	1	1
179	35,391	1	Lambton Primrose	34,785	1	175
3	483	2	Morton Main	483	2	3
2	534	–	Primrose	534	–	2
2	205	2	Russell's Hetton Nut	104	–	1
4	665	3	Russell's High Main	665	3	4
8	1,407	3	Russell's Lyon's Main	1,407	3	8
1	181	3	South Moor	181	3	1
1	115	1	Shieldrow	115	1	1
6	726	–	Springwell	726	–	6
4	668	3	Vane's Main	512	1	3
1	280	1	Wallsend Main	280	1	1
284	55,378	2		53,728	2	274
			SUNDERLAND WALLSEND:			
–	–	–	Eden	191	3	2
518	116,760	3	Hetton	118,514	–	526
1	233	–	Hetton & Lyon's	233	–	1
230	53,533	2	Lambton	52,068	1	224
135	26,481	3	Lyon's	27,861	1	143
143	29,426	1	Russell's Hetton	28,512	1	139
36	7,313	2	Russell's Lyon's	7,499	3	37
644	141,064	1	Stewart's	140,642	–	640
9	1,899	2	Stobart's	1,899	2	9
2	325	3	Simpson	325	3	2
1,718	377,038	1		377,747	2	1,723

IMPORTED.				DELIVERED.		
Ships.	Chaldrons.	Vats.		Chaldrons.	Vats.	Ships.
			BLYTH, SCOTCH, WELSH AND YORKSHIRE:			
16	2,084	3	Blyth	2,084	3	16
20	2,474	3	Barnsley New	2,621	1	21
2	213	–	Broom Hill	213	–	2
90	15,656	2	Cowpen	15,964	–	93
1	281	–	Castle Main	281	–	1
–	3	1	Cannell	3	1	–
1	15	3	Dysart	15	3	1
4	488	3	Fordel	488	3	4
1	39	3	Foreign	39	3	1
3	515	2	Flanshaw	202	–	1
6	778	2	Graigola	778	2	6
111	28,326	3	Hartley	27,823	2	109
27	3,872	–	Halbeath	3,981	1	27
1	47	–	Kirkthorpe	47	–	1
2	176	3	Lochgelly Main	176	3	2
2	244	2	Lochgelly Splint	244	2	2
30	5,277	–	Llangennech	5,277	–	30
6	764	3	Landshipping	764	3	6
8	1,674	2	Merthyr	1,498	2	7
1	28	1	Margam	28	1	1
1	131	1	Netherton	131	1	1
65	9,432	3	New Flockton	9,585	3	66
1	42	3	New Park Gate	42	3	1
18	2,532	1	Old Haigh Moor	2,596	2	18
2	238	2	Penmain	238	2	2
1	242	–	Ravenhead	242	–	1
24	4,218	2	Stone	4,562	1	25
110	11,884	2	Silkstone	11,655	–	108
3	338	1	Soughton	452	–	4
2	323	1	Smithson's Inland	323	1	2
18	2,597	3	South Hetton Seam	2,597	3	18
2	446	2	South Hartley	446	2	2
2	282	3	South Hartley & South Hetton Seam.	282	3	2
1	106	–	Silkstone Slack	106	–	1
3	414	3	Scremerston Engine	414	3	3
2	521	3	Standrig	521	3	2
1	64	2	Tenby	64	2	1
1	132	–	Thorpe's Gauber New	132	–	1
1	80	2	Thorpe's Gauber Hall	80	2	1
2	208	3	Trimsaran Engine	208	3	2
2	83	3	Whitehaven	83	3	2
20	3,554	1	Warde's Llanelly	3,771	1	21
–	–	–	Wain Wilt	279	1	1
1	136	3	W. E. Aveline	136	3	1
1	59	–	Astley	59	–	1
4	544	2	Barnsley	544	2	4
62	13,441	–	Elgin	13,181	–	61
1	58	3	Gibbon's	58	3	1
13	2,252	–	Greenw. Hosp.	2,252	–	13
1	267	–	Greenw. Hosp. & Scremerston Engine.	267	–	1
3	545	3	Haverland	690	1	4
16	3,533	–	Henderson	3,200	–	15
3	294	3	Methley	190	3	2
29	5,317	1	Selby	5,189	–	28
748	127,290	–		127,121	1	747
			STOCKTON COAL:			
4	410	–	Butter Knowle Main	410	–	4
1	133	2	Chayter's Main	133	2	1
1	53	1	Quarrington	53	1	1
2	146	3	Tees Nut	146	3	2
1	206	–	Tees Primrose	206	–	1
3	465	2	Vane's Old Ducks	465	2	3
45	7,334	1	W. E. Adelaide	6,896	3	42
1	111	3	Adelaide & South Durham.	111	3	1
21	3,804	1	Butter Knowle	3,337	3	19
10	1,824	–	Cleveland	2,187	2	13
13	2,172	3	Cleveland Hetton	2,172	3	13
70	7,759	2	Norwood Hetton	7,581	1	68
1	169	–	Norwood Hetton and Tees.	169	–	1
2	271	3	New Etherley	271	3	2
10	1,301	–	Old Etherley	1,425	–	12
4	446	2	South Durham	446	2	4
1	121	3	South Durham & New Etherley.	121	3	1
130	20,205	3	Tees	19,045	3	124
2	363	–	Whitton Park	363	–	2
322	47,300	1		45,545	2	314

CANNELL, SCOTCH, CINDERS AND CULM.

IMPORTED.				DELIVERED.		
Ships.	Tons.	Qrs.		Tons.	Qrs.	Ships.
4	135	2	Cannell	135	2	4
1	125	–	Denby	125	–	1
1	123	3	Welsh	123	3	1
1	4	–	Wemyss	4	–	1
–	1	2	W. E. Tees	1	2	–
7	389	3		389	3	7
Ships.	Chaldrons.	Vats.		Chaldrons.	Vats.	Ships.
–	258	1	Cinders in various ships	258	1	–
19	3,416	3	Culm	3,739	–	20
19	3,675	–		3,997	1	20

MONTHLY IMPORTS AND MONTHLY DELIVERY.

IMPORTED.				DELIVERED.		
Ships.	Chaldrons.	Vats.		Chaldrons.	Vats.	Ships.
431	95,830	–	January	121,549	1	515
489	113,580	–	February	75,039	3	330
665	158,835	3	March	170,413	3	732
434	98,169	1	April	125,885	2	537
209	38,591	1	May	59,097	1	284
540	116,750	2	June	89,665	1	430
560	124,857	–	July	135,682	3	614
745	165,533	1	August	160,360	1	720
744	169,178	2	September	155,004	2	686
618	146,374	–	October	147,702	2	635
781	186,427	2	November	172,009	1	728
721	171,946	1	December	171,032	–	707
6,937	1,586,073	1		1,583,442	–	6,918
69	18,078	–	Ships imported in Dec. 1831, transferred to the Account for 1832, containing as per Fitter's certificate.			

RECAPITULATION.

IMPORTED.					DELIVERED.			
Ships.	Chaldrons.	Vats.	Tons.		Chaldrons.	Vats.	Tons.	Ships.
1,481	386,576	2	–	Newcastle	387,889	3	–	1,481
2,247	565,785	3	–	Newcastle Wallsend	565,259	3	–	2,245
284	55,378	2	–	Sunderland	53,728	2	–	274
1,718	377,038	1	–	Sunderland Wallsend	377,747	2	–	1,723
322	47,300	1	–	Stockton	45,545	2	–	314
748	127,290	–	–	Blyth, Scotch, Welsh and Yorkshire.	127,121	1	–	747
111	22,639	1	–	Small Coal	21,762	3	–	107
6,911	1,582,008	2	–		1,579,055	–	–	6,891
7	–	–	389 3	Cannell, &c.	–	–	389 3	7
–	258	1	–	Cinders	258	1	–	–
19	3,416	3	–	Culm	3,739	–	–	20
6,937	1,585,683	2	389 3		1,583,052	1	389 3	6,918
69	18,078	–	–	Ships imported in Dec. 1831, transferred to the Account for 1832, containing as per Fitter's certificate.				

	Ships.	Chaldrons.	Vats.
Importation in 1825	6,564	1,456,162	1
Importation in 1826	6,810	1,600,229	2
Importation in 1827	6,491	1,476,331	2
Importation in 1828	6,750	1,537,694	1
Importation in 1829	6,992	1,583,511	1
Importation in 1830	7,108	1,630,804	2
Importation in 1831	7,006	1,604,151	1

IMPORTATION AND DELIVERY ACCOUNT OF COAL, CULM AND CINDERS.

Dr.

	Ships.		Chaldrons.	Vats.	Tons.
1831: Jan. 1	243	To Balance remaining uncleared of last Year's Importation.	61,551	1	
Dec. 31	6,911	To Net Importation of Coal for the Year, as per Recapitulation.	1,582,008	2	
		To ditto ditto of Cinders, as per ditto.	258	1	
	19	To ditto ditto of Culm, as per ditto.	3,416	3	
	7	To ditto ditto of Cannell, &c., as per ditto.	–	–	389 3
	7,180		1,647,234	3	389 3
	69	To sundry Ships remaining unsold, to be taken into the Account for 1832, and delivered in tons, containing, as per Fitter's certificate.	18,078		
	7,249		1,665,312	3	389 3

Cr.

	Ships.		Chaldrons.	Vats.	Tons.
1831: Dec. 31	6,891	By Net Amount of Delivery of Coal, as per Recapitulation.	1,579,055		
	–	By do. Cinders, as per do.	258	1	
	20	By do. Culm, as per do.	3,739		
	7	By ditto, Cannell, &c., as per ditto.	–	–	389 3
	6,918		1,583,052	1	389 3
	262	By Balance of Importation of 1831, cleared in 1832.	64,182	2	
	7,180		1,647,234	3	389 3
	69	By Ships transferred to the Account for 1832, containing, as per Fitter's certificate.	18,078		
	7,249		1,665,312	3	389 3

Coal Market, London, 31 March 1832.

James Pearsall, Clerk and Registrar.

Appendix, No. 21.

AN ACCOUNT of COAL, CULM and CINDERS, imported into the Port of *London*, during the Year 1832, and Sold at the Coal Market; specifying the Quantities of each particular sort, as per Fitter's Certificate.

SHIPS.	QUALITY.	TONS.
	NEWCASTLE COAL:	
86	Adair's	31,755
24	Beaumont	9,522
3	Bell, Robson & Co. Low Main	906
70	Bensham Main	20,225
1	Bewicke & Co. Bean	257
20	Bishop Main	4,568
1	Blake's Main	239
8	Blaydon Main	1,639
10	Charlotte Main	3,194
11	Chester Main	2,500
2	Coxlodge	665
53	Dean's Primrose	14,477
63	East Percy	17,994
2	Ellison Main	620
1	Ellison Main Bean	275
1	Ellison Low Main	286
52	Felling Main	17,204
2	Forest	752
38	Garesfield	10,918
5	Gosforth W. E. Bean	1,292
1	Heaton Main	280
78	Hebburn	21,727
107	Holywell	42,132
4	Howard's Main	1,318
35	Kenton West	10,386
17	Killingworth Main	6,699
2	Newburn Main	873
1	Newcastle	408
40	Orde's Redheugh	15,515
81	Pelaw	20,794
13	Pitt's South Moor	4,553
58	Pontop Windsor	21,766
1	Sheriff Hill	226
53	Shipcote	19,440
20	South Holywell	5,576
18	St. Lawrence Main	6,139
113	Tanfield	34,196
2	Thackerah Main	444
1	Toft Moor Splint	274
89	Townley	35,281
5	Usworth Main	852
10	Wade's Bensham	2,377
40	West Hartley	12,336
76	Willington	21,737
5	Willington Bean	1,039
79	Wylam	31,224
1,402		456,880
	SMALL COAL:	
2	Beamish South Moor	397
1	Brown's W. E. and Bean mixed	204
1	Chester Main	148
2	Ellison Main	487
1	Hetton	31
1	Hutton Seam	117
—	Orde's Redheugh	137
8	Primrose	925
1	Wade's Bensham	182
1	Witton Park	148
2	W. E. Brown's	703
4	Butter Knowle	682
1	Gordon	82
3	Hotspur	804
—	Lambton	127
7	Newbiggin	2,207
1	Norwood Hetton	78
15	Old Etherly	2,693
1	Wallsend	22
52		10,174

SHIPS.	QUALITY.	TONS.
	NEWCASTLE WALLSEND:	
92	Bell & Brown's	27,444
74	Bell, Robson & Co.	22,653
232	Bewicke & Co.	74,297
20	Blake	5,747
16	Boundary	3,425
66	Brown's	21,831
21	Burraton	6,653
95	Callerton	34,217
52	Carr & Co.	16,298
24	Chirton	7,110
96	Clarke & Co.	29,810
145	Gosforth	47,305
1	Greenwell	188
8	Hazleriggs	2,420
139	Heaton	45,447
105	Hilda	41,535
121	Hotspur	38,461
1	Jesmond	371
47	Joliffe's	14,105
202	Killingworth	65,222
1	Monkseaton	233
30	Newbiggin	9,761
131	Newmarch	40,526
166	Northumberland	51,579
14	Peareth	4,340
72	Perkins	22,767
139	Riddell's	43,628
13	Russell's	4,232
10	Todd & Watson's	3,239
69	Walker	22,808
6	Walridge	1,346
2,208		708,998
	SUNDERLAND COAL:	
2	Beamish South Moor	612
2	Beamish Morton Main	481
62	Bell's Primrose	18,469
3	Davison's Morton Main	397
7	Eden Main	1,130
2	Fawcett Main	484
77	Lambton Primrose	17,134
1	Londonderry Nut	117
1	Primrose mixed	50
1	Russell's Hetton Nut	43
1	Russell's Lyon's Main	318
159		39,235
	SUNDERLAND WALLSEND:	
3	Hebdon	852
575	Hetton	167,105
352	Lambton	100,425
165	Lyon's	40,484
112	Russell's Hetton	30,877
22	Russell's Lyon's	5,522
1	Simpson's	192
4	Steam-Boat	906
216	Stewart's	65,155
487	Stewart's Seaham	139,418
36	Stobart's	8,427
1,973		559,363
	YORKSHIRE:	
2	Astley	699
1	Attercliff Branch Cannell	100
4	Barnsley Main	406
2	Broomhill	117
7	Denby L.	641
26	Elisecar	2,974

SHIPS.	QUALITY.	TONS.
	YORKSHIRE—*continued.*	
2	Flanshaw Main	380
11	Gawber Hall	2,000
2	Gawber Main	155
1	Hallow's Main	100
13	Inland	1,168
2	Lowther Main	149
2	Methly	372
69	New Flockton	12,985
1	New Gawber Soft	45
2	New-hall Main	180
1	Old Flockton	60
2	Old Haigh Moor	379
2	Park-gate Main	121
61	Silkstone	21,094
5	South Hetton	633
13	South Hetton Seam	1,957
1	Standrig	300
6	Slavely	201
2	Strafford Main	93
1	Sturges & Co.	21
6	Swallow Wood	454
5	Thorphall	450
1	W. E. Aston	84
6	Barnsley	1,028
11	Devonshire	395
3	Devonshire & Slavely	186
373		49,927
	BLYTH:	
8	Blyth	1,632
91	Cowpen	20,402
65	Hartley	20,850
25	Netherton Main	5,970
1	South Togson	84
190		48,938
	SCOTCH:	
4	Alloa	496
1	Bridesholm	105
3	Clackmannan	404
1	Donibristle	120
1	Dysart	21
1	Eastfield	70
3	Fordel Main	366
8	Halbeath	1,358
1	Henderson W. E. & Parrot	99
16	Inverkeithing	2,345
5	North Durham Main	1,231
–	Parrot	47
1	Scotch	20
20	Scremerston Engine	5,664
63	W. E. Elgin	19,790
24	Greenwich Hospital	5,742
11	Henderson	2,562
16	Preston Grange	3,524
20	Selby	5,615
199		49,579
	WELCH:	
1	Bettw's	160
4	Binding	850
1	Creswell	225
12	Graigola	2,888
4	Hean Castle	543
9	Landshipping	1,779
1	Little Milford	68
48	Llangennech	11,035
1	Lougher	220
17	Merthyr	3,760
1	Rudry	300
39	Stone	9,443
1	Tenby	108
2	Trimsaran Engine	573
25	Ward's Llannelly	6,662
1	Welch	30
167		38,644

SHIPS.	QUALITY.	TONS.
	STOCKTON COAL:	
3	Adelaide Nut	577
3	Butter Knowle Main	366
1	South Durham Nut	180
3	Tees Nut	333
7	Tees Primrose	1,537
165	W. E. Adelaide	40,252
51	Butter Knowle	10,604
33	Cleveland	8,320
42	Gordon's	10,047
32	Musgrave's	6,292
11	Norwood Hetton	1,798
49	Old Etherly	10,624
45	South Durham	10,449
315	Tees	67,702
1	Witton Park	166
761		169,247
	FROM SUNDRY PLACES:	
5	Cannell	333
4	Chivington	273
1	Cumberland	42
1	Haydock	8
1	Lonsdale	33
1	Mixed	31
1	Ravenhead	360
1	Spinkhill	7
1	Staffordshire	108
16		1,195
	CULM AND CINDERS:	
28	Culm	6,421
–	Cinders	477
	MONTHLY IMPORTS:	
542	January	163,496
439	February	128,089
616	March	181,706
524	April	151,129
556	May	158,027
502	June	134,868
522	July	142,249
634	August	169,669
631	September	172,070
910	October	258,657
677	November	194,320
975	December	284,798
7,528		2,139,078
	RECAPITULATION:	
1,402	Newcastle	456,880
2,208	Newcastle Wallsend	708,998
159	Sunderland	39,235
1,973	Sunderland Wallsend	559,363
761	Stockton	169,247
373	Yorkshire	49,927
190	Blyth	48,938
199	Scotch	49,579
167	Welch	38,644
16	From Sundry Places	1,195
52	Small	10,174
7,500		2,132,180
28	Culm	6,421
–	Cinders	477
7,528		2,139,078

Importations.	Ships.	Chaldrons.	Vats.	Tons.
In 1825	6,564	1,456,162	1 =	1,856,606
In 1826	6,810	1,600,229	2 =	2,040,291
In 1827	6,491	1,476,331	2 =	1,882,321
In 1828	6,750	1,537,694	1 =	1,960,559
In 1829	6,992	1,583,511	1 =	2,018,975
In 1830	7,108	1,630,804	2 =	2,079,275
In 1831	7,006	1,604,151	1 =	2,045,292
In 1832	7,528	– –	–	2,139,078

Coal Market, London, 19 January 1833.

James Pearsall, Clerk and Registrar.

Appendix, No. 22.

AN ACCOUNT of Coal, Culm and Cinders imported into the Port of *London*, during the Year 1833, and Sold at the Coal Market; specifying the Quantities of each particular sort, as per Fitter's Certificate.

SHIPS.	QUALITY.	TONS.
	Newcastle Coal:	
69	Adair's	27,589
37	Beaumont	14,065
4	Bensham	944
3	Bishop's Main	539
1	Bell's, Robson's & Co's. Bean	272
1	Blaydon Main	212
4	Carr's Hill	1,016
14	Charlotte Main	3,958
94	Chester Main	25,392
108	Dean's Primrose	30,363
53	East Percy	13,408
16	Ellison Low Main	4,077
29	Felling Main	9,500
1	Garesfield	331
2	Graham's Main	720
149	Hebburn	42,451
108	Holywell	42,231
3	Howard Main	809
23	Kenton West	5,777
1	Newburn Main	318
60	Orde's Redheugh	22,891
157	Pelaw	40,043
7	Picton Main	1,903
44	Pontop	16,976
51	Shipcote	19,089
2	South Holywell	588
1	St. Lawrence	365
99	Tanfield	31,954
92	Townley	37,093
1	Tyne Main	76
8	Usworth Main	2,099
4	Wade's Bensham	801
–	Walbottle Top	212
75	West Hartley	24,145
40	Willington	11,044
73	Wylam	27,597
1,434		460,848
	Newcastle Wallsend:	
68	Bell & Brown's	18,977
77	Bell's, Robson's & Co.	22,158
117	Bewicke & Co.	36,862
23	Blake's	6,666
6	Boundary	1,591
106	Brown's	34,313
14	Burraton	3,367
23	Callerton	8,615
1	Campbell's	267
52	Carr & Co.	15,959
14	Chirton	4,238
99	Clark & Co.	27,176
107	Gosforth	32,746
1	Greenwell's	166
117	Heaton	36,513
133	Hilda	47,837
1	Hilda (Gas)	320
107	Hotspur's	32,283
3	Howdon	786
4	Jesmond	740
3	Joliffe's	873
234	Killingworth	69,993
161	Newmarch's	50,920
139	Northumberland's	42,088
28	Peareth's	7,437
105	Perkin's	32,984
148	Riddell's	46,424
3	Russell's	1,012
3	Todd & Watson's	513
46	Walker	14,445
2	Waldridge	455
3	Woodside	575
1,948		599,299
	Sunderland Coal:	
6	Beamish South Moor	770
1	Bean Main	180
34	Bell's Primrose	10,300
1	Bowse's Main	49
8	Eden Main	1,367
2	Fawcett Main	500
232	Lambton Primrose	60,057
1	Russell's High Main	160
2	Russell's Lyon's Main	521
2	Springwell Main	305
289		74,209
	Sunderland Wallsend:	
43	Braddyll's	10,963
786	Hetton	226,299
281	Lambton	81,461
128	Lyon's	30,642
109	Russell's Hetton	30,691
21	Russell's Lyon's	5,298
2	Simpson's	555
251	Stewart's	77,590
417	Stewart's Seaham	119,345
8	Stobart's	2,400
19	Urpeth	4,930
2,065		590,174
	Blyth:	
6	Blyth	794
31	Cowpen	6,675
108	Hartley	33,940
32	Netherton Main	7,227
1	South Togson	53
178		48,689
	Stockton Coal:	
1	Adelaide Nut	212
32	Butter Knowle Main	6,900
1	Gordon Nut	68
10	Old Etherley Main	2,717
4	Tees Tanfield	422
147	W. E. Adelaide's	34,032
43	Butter Knowle	8,898
1	Dixon's	108
80	Gordon	18,598
2	Greenfield's	209
30	Musgrave's	5,892
13	Old Etherley	2,881
77	South Durham	16,550
–	Spencer's	66
13	Stockton	2,943
312	Tees	69,184
3	Witton Park	507
770		170,187

SHIPS.	QUALITY.	TONS.
	Small Coal:	
1	Adelaide's	233
4	Beamish South Moor	511
1	Ellison Main	230
2	Ellison Main and Bean	370
3	Hetton	346
1	Hutton Seam	117
2	Old Etherley	270
2	Primrose	168
1	Vane's	320
1	Stobart's and Eden Main	120
3	W. E. Lambton	822
1	Walker	76
22		3,583
	Yorkshire:	
1	Attercliff Branch Cannel	113
3	Barnsley Main	333
30	Elisecar	3,041
7	Gawber Hall	870
1	Haigh Moor	15
1	High Green	12
13	Holme's Main	760
3	Inland	191
1	Ledger Bridge	50
1	Methley	104
13	New Flockton	2,670
3	Newhall Main	210
2	New Park Gate	124
4	Rotherham Stone	200
49	Silkstone	5,022
3	Stavely	159
3	Strafford Main	269
5	Swallow Wood	189
10	Thorp Hall	1,140
12	W. E. Devonshire	449
2	Devonshire and Stavely	129
167		16,050
	Scotch:	
1	Alloa	105
4	Clackmannan	395
2	Fordel Main	264
3	Halbeath	479
3	Newbottle	290
2	Scotch	90
1	Scremerston Engine	150
31	W. E. Elgin	8,846
11	Henderson	2,312
4	Preston Grange	827
5	Selby	1,380
67		15,138
	Welch:	
1	Bettws	200
1	Castle Main	16
5	Graigola	1,187
5	Hean Castle	842
5	Landshipping	996
28	Llangennech	7,378
18	Merthyr	4,750
12	Nevill's Llanelly	3,263
1	Oakwood	150
26	Stone	6,211
12	Warde's Llanelly	3,398
1	Welch	25
115		28,416

SHIPS.	QUALITY.	TONS.
	From Sundry Places:	
5	Cannel	45
1	Wigan	15
6		60
	Culm and Cinders:	
15	Culm	3,740
1	Cinders	16
	Monthly Imports:	
370	January	105,750
433	February	121,837
418	March	117,923
849	April	243,824
785	May	217,844
574	June	157,230
606	July	168,597
528	August	147,670
471	September	131,803
669	October	191,633
809	November	236,200
565	December	170,098
7,077		2,010,409
	Recapitulation:	
1,434	Newcastle	460,848
1,948	Newcastle Wallsend	599,299
289	Sunderland	74,209
2,065	Sunderland Wallsend	590,174
770	Stockton	170,187
167	Yorkshire	16,050
178	Blyth	48,689
67	Scotch	15,138
115	Welch	28,416
6	From Sundry Places	60
22	Small	3,583
7,061		2,006,653
15	Culm	3,740
1	Cinders	16
7,077		2,010,409

Importations.	Ships.	Chaldrons.	Vats.	Tons.
In 1825	6,564	1,456,162	1 =	1,856,606
In 1826	6,810	1,600,229	2 =	2,040,291
In 1827	6,491	1,476,331	2 =	1,882,321
In 1828	6,750	1,537,694	1 =	1,960,559
In 1829	6,992	1,583,511	1 =	2,018,975
In 1830	7,108	1,630,804	2 =	2,079,275
In 1831	7,006	1,604,151	1 =	2,045,292
In 1832	7,528	-	-	2,139,078
In 1833	7,077	-	-	2,010,409

Coal Market, London, 8 Jan. 1834.

James Pearsall, Clerk and Registrar.

Appendix, No. 23.

AN ACCOUNT of Coal, Culm and Cinders imported into the Port of *London*, during the Year 1834, and Sold at the Coal Market, specifying the Quantities of each particular Sort, as per Fitter's Certificate.

SHIPS.	QUALITY.	TONS.
	Newcastle Coal:	
80	Adair's	32,168
76	Bensham	16,204
20	Bishop's Main	4,042
1	Bradley	296
1	Bradley Medomsley	349
7	Charlotte Main	1,942
77	Chester Main	21,446
126	Dean's Primrose	38,458
78	East Percy	20,668
3	Ellison Main	623
13	Ellison Low Main	2,718
67	Felling Main	21,591
6	Garesfield	2,218
104	Hebburn	30,428
115	Holywell	45,231
2	Howard Main	651
11	Kenton West	3,416
19	Medomsley	6,770
3	Newburn Main	1,178
3	New Hartley	879
85	Orde's Redheugh	32,740
114	Pelaw	31,433
38	Picton Main	8,409
2	Pitt's South Moor	646
59	Pontop Windsor's	22,688
4	Pontop Windsor's (Stanhope and Tyne Company.)	1,664
4	Russell's Main	878
2	Russell's High Main	487
1	Russell's Usworth Main	328
3	Sheriff Hill	712
32	Shipcote	10,723
4	South Beaumont Main	1,610
11	South Hartley	3,130
3	St. Lawrence Main	715
92	Tanfield	33,104
2	Townley	847
1	Tyne Main	190
1	Usworth Main	137
104	West Hartley	32,365
30	Willington	8,442
1	Windsor's Tanfield	355
78	Wylam Moor	31,956
1,483		474,835
	Newcastle Wallsend:	
1	Bede's	153
41	Bell & Brown's	11,746
109	Bell, Robson & Co.	31,787
183	Bewicke & Co.	58,582
89	Brown's	29,110
1	Burraton	137
63	Carr & Co.	18,596
5	Chirton	1,651
96	Clark & Co.	28,665
1	Durham	445
179	Gosforth	56,717
131	Heaton	38,399
119	Hilda	45,889
131	Hotspur	40,672
2	Howdon	574
17	Jesmond	4,487
8	Jolliffe's	1,790
224	Killingworth	67,418
9	Lanchester	3,189
2	Medomsley	651
1	Newbiggin	63
156	Newmarch	49,018
164	Northumberland	51,504
83	Peareth's	24,129
132	Perkin's	42,200
107	Riddell's	35,064
11	Russell's	3,249
1	Todd & Watson's	275
13	Waldridge	3,627
50	Walker	16,075
9	Woodside	1,676
2,138		667,538
	Sunderland Coal:	
9	Beamish South Moor	1,357
39	Bell's Primrose	10,591
3	Clarence New Primrose	349
2	Coxgreen Main	477
21	Eden Main	4,845
1	Harraton Main	294
139	Lambton Primrose	34,954
1	Morton Main	150
5	Richmund Main	1,197
2	Russell's Eden Main	378
6	Russell's Lyon's Main	815
3	Urpeth Main	397
1	Wyburg Main	155
232		55,959
	Sunderland Wallsend:	
51	Braddyll's Hetton	12,316
654	Hetton	186,510
431	Lambton	120,486
116	Lyon's	27,991
75	Russell's Hetton	20,369
36	Russell's Lyon	10,566
2	Springwell	507
2	Steam Boat	340
127	Stewart's	38,777
267	Stewart's Seaham	75,063
22	Stobart's	6,231
11	Urpeth	2,165
1,794		501,321
	Blyth:	
13	Blyth Main	2,049
59	Cowpen Main	11,624
119	Hartley	38,662
57	Netherton Main	11,933
248		64,268
	Stockton Coal:	
1	Adelaide Nut	222
52	Butter Knowle Main	12,056
4	Gordon Nut	602
13	Old Etherley Main	2,735
1	South Durham Nut	177
1	West Hetton	165
126	W. E. Adelaide	27,672
20	Auckland	4,309
19	Butter Knowle	4,062
1	Chaytor's	127
8	Deanery	1,561
114	Gordon	25,166
1	Hedley's	148
38	Musgrave's	6,527
24	Old Etherley	6,184

SHIPS.	QUALITY.	TONS.
	STOCKTON COAL—*continued.*	
14	Peirse's	2,912
6	Raby	1,494
23	St. Helen's	4,412
150	South Durham	37,565
303	Tees	68,816
2	Tees Tanfield	405
7	Victoria	1,461
1	Wellington	240
76	West Hetton	12,693
1,005		221,711
	SMALL COAL:	
2	Beamish South Moor	310
2	Braddyll's Hetton	565
4	Cannel	166
1	Mixed	68
1	Old Etherley	170
1	Vane's	233
1	Waldridge	111
1	West Hetton	90
2	Wall's End	52
3	W. E. Bell's	432
1	Hetton	45
1	Lambton	240
–	Walker	5
20		2,487
	YORKSHIRE:	
1	Barnsley Main	140
4	Elisecar	393
5	Gawber Hall	822
1	High Green	15
2	Holme's Main	25
3	Howard's Main	275
11	Inland	281
10	New Flockton	1,568
83	Silkstone	12,091
2	Stavely	45
3	Strafford Main	56
12	Swallow Wood	480
9	Thorp Hall	548
10	W. E. Devonshire	239
3	Stavely and Devonshire	161
159		17,139
	SCOTCH:	
4	Clackmannan	508
1	Dysart	72
3	Fordel Splint	564
1	Great Splint	150
1	Halbeath	142
2	Marquis's Main	266
15	Newbottle	1,565
14	North Hartley	3,800
5	Ruchill	1,401
12	Scotch	930
3	Scremerston Engine	815
1	Tranent	95
1	Wellwood Splint	350
1	W. E. Burntisland	182
70	Elgin	19,341
32	Henderson	6,963
6	Preston Grange	1,179
3	Selby	950
1	Wellwood	214
176		39,487
	WELCH:	
1	Abbey	230
2	Creswell	601
5	Graigola	1,190

SHIPS.	QUALITY.	TONS.
	WELCH—*continued.*	
1	Hean Castle	330
9	Landshipping	2,004
17	Langennech	4,260
16	Merthyr	4,336
2	Milford	205
35	Nevill's Llanelly	8,785
1	Rock Vein	35
29	Stone	7,909
1	Trimsaran Engine	265
1	Warde's Llanelly	300
4	Welch	575
124		31,025
	FROM SUNDRY PLACES:	
14	Cannel	446
	CULM AND CINDERS:	
11	Culm	2,175
–	Cinders	294
	MONTHLY IMPORTS:	
453	January	128,034
578	February	169,839
523	March	152,721
523	April	147,321
512	May	143,105
583	June	154,301
603	July	153,990
666	August	170,958
675	September	186,647
720	October	204,927
645	November	192,251
923	December	274,591
7,404		2,078,685
	RECAPITULATION:	
1,483	Newcastle	474,835
2,138	Newcastle Wallsend	667,538
232	Sunderland	55,959
1,794	Sunderland Wallsend	501,321
1,005	Stockton	221,711
248	Blyth	64,268
176	Scotch	39,487
124	Welch	31,025
159	Yorkshire	17,139
14	From Sundry Places	446
20	Small Coal	2,487
7,393		2,076,216
11	Culm	2,175
–	Cinders	294
7,404		2,078,685

Importations.	Ships.	Chaldrons.	Vats.	Tons.
In 1825	6,564	1,456,162	1 =	1,856,606
In 1826	6,810	1,600,229	2 =	2,040,291
In 1827	6,491	1,476,331	2 =	1,882,321
In 1828	6,750	1,537,694	1 =	1,960,559
In 1829	6,992	1,583,511	1 =	2,018,975
In 1830	7,108	1,630,804	2 =	2,079,275
In 1831	7,006	1,604,151	1 =	2,045,292
In 1832	7,528		–	2,139,078
In 1833	7,077		–	2,010,409
In 1834	7,404		–	2,078,685

Coal Market, London, 17 January 1835.

James Pearsall,
Clerk and Registrar.

Appendix, No. 24.

AN ACCOUNT of Coal, Culm and Cinders, imported into the Port of *London*, during the Year 1835, and Sold at the Coal Market, specifying the Quantities of each particular Sort, as per Fitter's Certificate.

SHIPS.	QUALITY.	TONS.
	Newcastle Coal:	
78	Adair's	31,748
76	Bensham	13,069
6	Bishop's Main	1,149
45	Bradley Main	13,632
11	Burdon Main	3,696
4	Carr & Co's Hartley	1,244
8	Charlotte Main	2,363
64	Chester Main	22,687
–	Clark & Co.'s Main	97
–	Cramlington	42
117	Dean's Primrose	35,853
55	East Percy	16,286
14	Ellison Main	4,019
2	Ellison Low Main	196
85	Felling Main	27,260
3	Garesfield	995
1	Heaton Main	296
57	Hebburn	16,168
124	Holywell Main	46,512
45	Holywell Reins	15,531
5	Holywell Reins Splint	1,661
7	Howard Main	2,329
1	Hutton Low Main	106
6	Leaze's Main	2,373
22	Medomsley	6,752
–	Mixt	42
1	Montague Main	217
1	Newburn Main	344
82	Orde's Redheugh	32,366
95	Pelaw	27,729
36	Picton Main	10,165
5	Pitt's South Moor	1,896
48	Pontop Windsor's	19,326
15	Pontop Windsor's (Stanhope and Tyne Company).	5,067
65	Russell's High Main	19,375
3	Russell's Low Main	1,104
2	St. Lawrence Main	582
4	Sheriff Hill	586
27	Shipcote	8,906
4	South Beaumont	1,501
39	South Hartley	12,493
31	Stormont Main	7,983
85	Tanfield Moor	32,563
11	Urpeth Main	2,786
103	West Hartley	33,274
2	West Kenton	683
57	Willington	17,210
78	Wylam Moor	31,828
1,630		534,090
	Newcastle Wallsend:	
47	Bell & Brown's	13,536
84	Bell, Robson & Co.	26,367
195	Bewicke & Co.	64,847
2	Blake's	396
94	Brown's	30,948
7	Burraton	1,976
73	Carr & Co.	22,268
27	Chirton	8,896
73	Clark's	22,860
1	Dean's Primrose	280
167	Gosforth	54,962
1	Grace's	275
157	Heaton	48,833
129	Hilda	50,710
149	Hotspur	52,418
1	Howdon	214
10	Jesmond	2,842
253	Killingworth	78,984
48	Lanchester	14,717
29	Medomsley	7,282
138	Newmarch	44,722
143	Northumberland	45,592
120	Peareth's	34,016
95	Perkins's	32,368
118	Riddell's	38,111
73	Walker	23,537
32	Waldridge	10,084
1	Woodside	169
2,267		732,210
	Sunderland Coal:	
35	Beamish South Moor	5,221
28	Bell's Primrose	9,104
1	Eden Main	270
1	High Main	270
40	Lambton Primrose	10,144
10	Richmund Main	2,379
2	Russell's Lyon's Main	566
1	Russell's Primrose	198
118		28,152
	Sunderland Wallsend:	
189	Braddyll's Hetton	49,805
1	East Rainton	201
51	Haswell	14,980
676	Hetton	199,852
548	Lambton	157,730
21	Lyon's	4,915
71	Russell's Hetton	22,491
39	Russell's Lyon	11,995
210	Stewart's	64,521
247	Stewart's Seaham	71,196
11	Stobart's	3,716
2,064		601,402
	Blyth:	
7	Blyth Main	939
1	Chevington Main	34
68	Cowpen Main	13,896
113	Hartley	36,991
62	Netherton Main	13,186
251		65,046
	Stockton Coal:	
52	Butter Knowle Main	12,187
8	Butter Knowle Nut	532
4	Gordon Nut	525
1	Hopper's Main	129
1	Quarrington Main	217
1	Tees W. E. Nut	196
3	West Hetton Splint	510
78	W. E. Adelaide	18,527
16	Auckland	3,900
1	Blackboy	98
22	Butter Knowle	5,453
3	Chaytor's	735
9	Chilton	1,733
8	Deanery	1,964
1	Deanery Splint	212

(*continued*)

SHIPS.	QUALITY.	TONS.
	STOCKTON COAL—*continued.*	
94	W. E. Gordon	21,580
23	Hartlepool	4,356
3	Land's	721
5	Musgrave's	1,080
2	New Tees	392
5	Norwood Hetton	1,102
10	Old Etherley	2,416
17	Raby	4,471
61	St. Helen's	14,050
130	South Durham	36,925
4	South End	918
292	Tees	65,830
14	Tees Tanfield	3,996
3	Victoria	731
25	Wellington	5,729
69	West Hetton	18,670
965		229,885
	SMALL COAL:	
2	Cramlington	434
1	Wallsend	21
1	West Hetton	289
4		744
	YORKSHIRE:	
1	Astley	43
1	Blackburn	50
2	Blackburn Banks	50
7	Elisecar	577
33	Gawber Hall	5,403
18	Holme's Main	1,975
5	Inland	182
6	New Flockton	898
13	Old Flockton	1,318
1	Overton	90
1	Park Gate	4
116	Silkstone	12,537
11	Stanley Main	1,248
10	Stavely	291
3	Strafford Main	51
20	Wosbro Park Main	2,452
2	W. E. Devonshire	45
1	Kaye's	180
251		27,394
	SCOTCH:	
8	Clackmannan	1,319
1	Fordel Main	160
3	Great Splint	395
26	Halbeath	3,040
34	Newbottle	1,309
1	North Hartley	250
10	Parrot Main	1,343
2	Ruchill	760
47	Scotch	2,734
17	Tranent	3,543
5	Wemyss	531
47	W. E. Elgin	13,714
37	Henderson	10,101
2	Minto	263
5	Preston Grange	678
4	Selby	815
249		40,955
	WELCH:	
2	Abbey	240
1	Blainey	430
2	Cwm Avon	105
16	Graigola	3,636
1	Hean Castle	351

SHIPS.	QUALITY.	TONS.
	WELCH—*continued.*	
8	Landshipping	2,139
33	Langennech	9,076
1	Little Milford	81
1	Loughor	140
10	Merthyr	2,754
28	Nevill's Llanelly	7,781
38	Stone	8,632
1	Welch	55
142		35,420
	FROM SUNDRY PLACES:	
5	Cannel	236
1	Liverpool	131
6		367
	CULM AND CINDERS:	
11	Culm	3,147
–	Cinders	–
	MONTHLY IMPORTS:	
506	January	148,890
480	February	145,111
742	March	225,141
686	April	201,372
631	May	178,751
516	June	140,772
505	July	130,687
684	August	181,655
755	September	215,247
734	October	213,715
764	November	225,760
955	December	291,711
7,958		2,298,812
	RECAPITULATION:	
1,630	Newcastle	534,090
2,267	Newcastle Wallsend	732,210
118	Sunderland	28,152
2,064	Sunderland Wallsend	601,402
965	Stockton	229,885
251	Blyth	65,046
249	Scotch	40,955
142	Welch	35,420
251	Yorkshire	27,394
6	From Sundry Places	367
4	Small Coal	744
7,947		2,295,665
11	Culm	3,147
–	Cinders	–
7,958		2,298,812

Importations.	Ships.	Chaldrons.	Vats.	Tons.
In 1825	6,564	1,456,162	1 =	1,856,606
In 1826	6,810	1,600,229	2 =	2,040,291
In 1827	6,491	1,476,331	2 =	1,882,321
In 1828	6,750	1,537,694	1 =	1,960,559
In 1829	6,992	1,583,511	1 =	2,018,975
In 1830	7,108	1,630,804	2 =	2,079,275
In 1831	7,006	1,604,151	1 =	2,045,292
In 1832	7,528		=	2,139,078
In 1833	7,077		=	2,010,409
In 1834	7,404		=	2,078,685
In 1835	7,958		=	2,298,812

Coal Market, London, 18 January 1836.

James Pearsall,
Clerk and Registrar.

Appendix, No. 25.

AN ACCOUNT of the Quantity of the various Descriptions of COAL brought into the Port of *London*, from the Year 1828 to 1831, and from 1832 to 1835, both years in both periods inclusive; with a Comparative Statement of the Increase or Decrease during the last Four Years.

QUALITY.	1828 to 1831.			1832 to 1835.		INCREASE in last 4 Years.	DECREASE in last 4 Years.
	Ships.	Chaldrons.	Computed Tons.	Ships.	Tons.	Tons.	Tons.
NEWCASTLE COAL:							
Adair's	304	91,935	117,217	313	123,260	6,043	
Arcot	5	1,059	1,350	-	-	-	1,350
Beaumont	153	46,272	58,996	61	23,587	-	35,409
Burdon	72	17,895	22,816	11	3,696	-	19,120
Bede's Main	3	600	765	-	-	-	765
Bishop's Main	54	9,025	11,506	49	10,298	-	1,208
Boundary Moor	14	2,521	3,214	-	-	-	3,214
Bensham	143	32,758	41,766	226	50,442	8,676	
Blake's	2	338	430	1	239	-	191
Bell & Co.'s Low Main	5	1,311	1,671	3	906	-	765
Bewicke & Co.'s Bean	1	270	344	1	257	-	87
Blaydon Main	-	-	-	9	1,851	1,851	
Bell & Co.'s Bean	-	-	-	1	272	272	
Bradley	-	-	-	46	13,928	13,928	
Bradley Medomsley	-	-	-	1	349	349	
Charlotte	64	14,055	17,920	39	11,457	-	6,463
Clark & Co.'s Main	4	759	967	-	97	-	870
Coxlodge	8	1,456	1,856	2	665	-	1,191
Clavering	4	708	902	-	-	-	902
Cramlington	1	153	195	-	42	-	153
Chester Main	-	-	-	246	72,025	72,025	
Carr's Hill	-	-	-	4	1,016	1,016	
Carr & Co.'s Hartley	-	-	-	4	1,244	1,244	
Dean's Primrose	185	41,112	52,417	404	119,151	66,734	
Earsdon	2	393	501	-	-	-	501
Ellison Main	4	664	846	19	5,262	4,416	
East Percy	127	25,274	32,224	249	68,356	36,132	
Ellison Main Bean	2	268	341	1	275	-	66
Ellison Low Main	-	-	-	32	7,277	7,277	
Felling	119	29,669	37,827	233	75,555	37,728	
Forest	18	3,628	4,625	2	752	-	3,873
Garesfield	22	5,092	6,492	48	14,462	7,970	
Gray's Steam	17	3,241	4,132	-	-	-	4,132
Greenwell Bean	1	271	345	-	-	-	345
Gosforth Bean	8	1,446	1,843	5	1,292	-	551
Graham Main	-	-	-	2	720	720	
Heaton	254	63,911	81,486	2	576	-	80,910
Hebburn	446	102,055	130,120	388	110,774	-	19,346
H. Heworth Primrose	4	753	960	-	-	-	960
Holywell	388	120,784	153,999	454	176,106	22,107	
Howard Main	6	1,414	1,802	16	5,107	3,305	
Holywell Reins	-	-	-	45	15,531	15,531	
Holywell Reins Splint	-	-	-	5	1,661	1,661	
Hutton Low Main	-	-	-	1	106	106	
Jesmond New Main	9	1,166	1,486	-	-	-	1,486
Jarrow Low Main	2	274	349	-	-	-	349
Kenton West	84	18,515	23,606	71	20,262	-	3,344
Killingworth	685	183,973	234,565	17	6,699	-	227,866
Killingworth Mixt	1	247	314	-	-	-	314
Liddell's Main	199	51,543	65,717	-	-	-	65,717
Liddell's Mixt	2	241	307	-	-	-	307
Long Benton	2	264	336	-	-	-	336

QUALITY.	1828 to 1831.			1832 to 1835.		INCREASE in last 4 Years.	DECREASE in last 4 Years.
	Ships.	Chaldrons.	Computed Tons.	Ships.	Tons.	Tons.	Tons.
Newcastle Coal—*continued.*							
Leaze's Main	- -	- -	- -	6	2,373	2,373	
Montague	2	508	647	1	217	- -	430
Medomsley	- -	- -	- -	41	13,564	13,564	
Newburn	40	12,610	16,077	7	2,713	- -	13,364
Newcastle Bean	4	904	1,152	1	408	- -	744
New Hartley	- -	- -	- -	3	879	879	
Old Walker	4	790	1,007	- -	- -	- -	1,007
Ord's Redheugh	130	39,314	50,125	267	103,512	53,387	
Ord's Redheugh Mixt	1	392	499	- -	- -	- -	499
Ouston Main unscreened	5	1,157	1,475	- -	- -	- -	1,475
Pelaw	421	88,404	112,715	447	119,999	7,284	
Percy, East	61	12,721	16,219	- -	- -	- -	16,219
Pontop, Simpson's	1	143	182	- -	- -	- -	182
Pontop, Windsor	221	62,110	79,190	209	80,756	1,566	
Percy Main	14	2,913	3,714	- -	- -	- -	3,714
Percy Bensham	83	18,791	23,958	- -	- -	- -	23,958
Pitt's South Moor	9	1,985	2,530	20	7,095	4,565	
Picton Main	- -	- -	- -	81	20,477	20,477	
Pontop, Stanhope	- -	- -	- -	19	6,731	6,731	
Riddell's Mixt	1	137	174	- -	- -	- -	174
Russell's Main	- -	- -	- -	4	878	878	
Russell's High Main	- -	- -	- -	67	19,862	19,862	
Russell's Usworth Main	- -	- -	- -	4	1,432	1,432	
Sheriff Hill	2	222	283	8	1,524	1,241	
Shipcote	189	55,376	70,604	163	58,158	- -	12,446
Seghill	1	175	223	- -	- -	- -	223
South Holywell	21	4,959	6,322	22	6,164	- -	158
South Moor	1	342	436	- -	- -	- -	436
St. Lawrence Main	3	479	610	24	7,801	7,191	
South Beaumont Main	- -	- -	- -	8	3,111	3,111	
South Hartley	- -	- -	- -	50	15,623	15,623	
Stormont Main	- -	- -	- -	31	7,983	7,983	
Tanfield	489	113,737	145,014	389	131,817	- -	13,197
Townley	336	107,938	137,620	183	73,221	- -	64,399
Tanfield Lea	61	17,010	21,687	- -	- -	- -	21,687
Thackerah Main	- -	- -	- -	2	444	444	
Toft Moor Splint	- -	- -	- -	1	274	274	
Tyne Main	- -	- -	- -	2	266	266	
Usworth	5	787	1,003	14	3,088	2,085	
Urpeth Main	- -	- -	- -	11	2,786	2,786	
Willington	358	90,722	115,670	203	58,433	- -	57,237
Wylam	296	93,111	118,716	308	122,605	3,889	
Walbottle	1	81	103	1	212	109	
Wharncliffe	4	1,084	1,382	- -	- -	- -	1,382
Wade's Eighton Moor	8	1,705	2,173	- -	- -	- -	2,173
Willington best Bean	1	240	306	5	1,039	733	
West Hartley	44	10,152	12,943	322	102,120	89,177	
Wade's Bensham	- -	- -	- -	14	3,178	3,178	
Windsor's Tanfield	- -	- -	- -	1	355	355	
Cinders	17	1,489	1,898	1	787	- -	1,111
Small Coal	400	89,333	113,899	28	6,239	- -	107,660
Various	52	14,617	18,472	- -	- -	- -	18,472
NEWCASTLE WALLSEND:							
Bede's	2	331	422	1	153	- -	269
Bell & Brown	282	68,458	87,283	248	71,703	- -	15,580
Bell, Robson & Co.	527	125,774	160,361	344	102,965	- -	57,396
Bewicke & Co.	837	207,293	264,298	727	234,588	- -	29,710
Blake	30	6,870	8,759	45	12,809	4,050	
Brown's	526	132,915	169,466	355	116,202	- -	53,264
Burraton	320	74,541	95,039	43	12,133	- -	82,906
Bensham	26	5,623	7,169	- -	- -	- -	7,169
Boundary	117	19,688	25,102	22	5,016	- -	20,086
Carr & Co.	371	89,307	113,866	240	73,121	- -	40,745
Clarke & Co.	474	108,867	138,805	364	108,511	- -	30,294
Cramlington	254	58,412	74,475	- -	- -	- -	74,475
Callerton	139	36,408	46,420	118	42,832	- -	3,588
Callerton & Co.'s Redheugh	1	254	323	- -	- -	- -	323
Chirton	- -	- -	- -	70	21,895	21,895	
Campbell's	- -	- -	- -	1	267	267	
Durham	- -	- -	- -	1	445	445	
Dean's Primrose	- -	- -	- -	1	280	280	

QUALITY.	1828 to 1831.			1832 to 1835.		INCREASE in last 4 Years.	DECREASE in last 4 Years.
	Ships.	Chaldrons.	Computed Tons.	Ships.	Tons.	Tons.	Tons.
Newcastle Wallsend—*continued.*							
Ellison	28	5,830	7,433	-	-	-	7,433
Greenwell's	10	1,439	1,834	2	354	-	1,480
Gosforth	283	70,103	89,381	598	191,730	102,349	
Heworth	12	2,271	2,895	-	-	-	2,895
Hilda	461	132,741	169,244	487	186,291	17,047	
Hotspur	511	122,881	156,673	508	163,834	7,161	
Heaton	370	97,158	123,876	544	169,192	45,316	
Hazlerigg's	-	-	-	8	2,420	2,420	
Howden	-	-	-	6	1,574	1,574	
Jesmond	53	9,282	11,834	32	8,440	-	3,394
Joliffe's	-	-	-	58	16,768	16,768	
Killingworth	4	893	1,138	913	281,617	280,479	
Lanchester	-	-	-	57	17,906	17,906	
Monkseaton	25	5,409	6,896	1	283	-	6,663
Medomsley	-	-	-	31	7,933	7,933	
Newmarch	669	162,663	207,395	586	185,186	-	22,209
Newcastle	19	2,988	3,809	-	-	-	3,809
Northumberland	697	169,603	216,243	612	190,763	-	25,480
Newbiggin	-	-	-	31	9,824	9,824	
Peareth	290	67,242	85,733	245	69,922	-	15,811
Perkins	602	145,819	185,919	404	130,319	-	55,600
Riddell	644	158,500	202,087	512	163,227	-	38,860
Russell	536	142,710	181,955	27	8,493	-	173,462
Todd and Watson	-	-	-	14	4,027	4,027	
Walker	397	103,853	132,412	238	76,865	-	55,547
Woodside	2	235	299	13	2,420	2,121	
Wharton	5	926	1,180	-	-	-	1,180
Waldridge	-	-	-	53	15,512	15,512	
Sunderland Coal:							
Beamish South Moor	22	3,749	4,779	52	7,960	3,181	
Bean	1	171	218	1	180	-	38
Bell's Primrose	41	9,027	11,509	163	48,464	36,955	
Beamish Mixt	1	226	288	-	-	-	288
Beamish Morton Main	-	-	-	2	481	481	
Bowse's	-	-	-	1	49	49	
Clarence New Primrose	-	-	-	3	349	349	
Coxgreen Main	-	-	-	2	477	477	
Davies' Morton Main	1	178	226	-	-	-	226
Denmark Main	3	341	434	-	-	-	434
Durham Main	6	740	943	-	-	-	943
Davison's Morton Main	-	-	-	3	397	397	
Eden Main	115	21,878	27,894	37	7,612	-	20,282
Fawcett	59	10,976	13,994	4	984	-	13,010
Harraton	28	6,018	7,672	1	294	-	7,378
Hutton South Moor	4	537	684	-	-	-	684
Hetton High Main	3	457	582	1	270	-	312
Lambton Primrose	448	84,936	108,293	488	122,289	13,996	
Lambton's Eden Main	4	531	677	-	-	-	677
Lyon's Main	2	240	306	-	-	-	306
Londonderry Nut	-	-	-	1	117	117	
Morton Main	4	611	779	1	150	-	629
Nesham	315	66,188	84,389	-	-	-	84,389
Nut	3	127	161	-	-	-	161
Old Duck Main	1	15	19	-	-	-	19
Pelaw Main	3	558	711	-	-	-	711
Primrose Main	6	1,262	1,609	1	50	-	1,559
Russell's High Main	24	3,930	5,010	1	160	-	4,850
Russell's Lyons	137	23,935	30,517	11	2,220	-	28,297
Russell's Hetton's Nut	2	205	261	1	43	-	218
Richmund Main	-	-	-	15	3,576	3,576	
Russell's Eden Main	-	-	-	2	378	378	
Russell's Primrose	-	-	-	1	198	198	
South Moor	2	265	337	-	-	-	337
Springwell Main	8	1,121	1,429	2	305	-	1,124
Stobart's Bowse's Main	6	1,042	1,328	-	-	-	1,328
Stobart's Eden	14	2,351	2,997	-	-	-	2,997
Stobart's Primrose	8	1,089	1,388	-	-	-	1,388
Shieldrow	1	115	146	-	-	-	146
Urpeth Main	-	-	-	3	397	397	
Vane's Main	4	668	851	-	-	-	851
Wade's Eden Main	9	1,232	1,570	-	-	-	1,570

QUALITY.	1828 to 1831.			1832 to 1835.		INCREASE in last 4 Years.	DECREASE in last 4 Years.
	Ships.	Chaldrons.	Computed Tons.	Ships.	Tons.	Tons.	Tons.
Sunderland Coal—*continued.*							
Wade's Springwell	3	363	462	-	-	-	462
Wear Primrose	2	241	307	-	-	-	307
Wade's Harraton	1	108	137	-	-	-	137
Wallsend Main	1	280	357	-	-	-	357
Wyburg Main	-	-	-	1	155	155	
Small Coals	263	55,811	71,159	38	5,848	-	65,311
SUNDERLAND WALLSEND:							
Bean	2	174	221	-	-	-	221
Braddyll's Hetton	-	-	-	283	73,084	73,084	
East Rainton	-	-	-	1	201	201	
Hebdon	3	471	600	3	852	252	
Hetton	2,307	507,226	646,713	2,691	779,766	133,053	
Hetton & Lyon's	1	233	297	-	-	-	297
Haswell	-	-	-	51	14,980	14,980	
Lambton's	561	125,461	159,962	1,612	460,102	300,140	
Lyon's	836	158,529	202,124	430	104,032	-	98,092
Lumley	23	4,676	5,961	-	-	-	5,961
Nut	44	5,685	7,248	-	-	-	7,248
Ravensworth	1	152	193	-	-	-	193
Russell's Hetton's	526	109,417	139,506	367	104,428	-	35,078
Russell's Lyon's	70	13,631	17,379	118	33,381	16,002	
Simpson	9	1,424	1,815	3	747	-	1,068
Steam Boat	-	-	-	6	1,246	1,246	
Springwell	22	3,811	4,859	2	507	-	4,352
Stewart's	2,330	516,773	658,885	2,222	651,065	-	7,820
Stobart's	25	4,524	5,768	77	20,774	15,006	
Urpeth	-	-	-	30	7,095	7,095	
Wade's Springwell	6	1,072	1,366	-	-	-	1,366
Wear	6	673	858	-	-	-	858
Wade's Hebdon	2	469	597	-	-	-	597
Various	8	1,647	2,088	-	-	-	2,088
STOCKTON COAL:							
Adelaide Nut	-	-	-	5	1,011	1,011	
Black Boy	8	1,063	1,355	-	-	-	1,355
Black Bean & Main	9	939	1,197	-	-	-	1,197
Black Splint	2	175	223	-	-	-	223
Butter Knowle Main	4	410	522	139	31,509	30,987	
Butter Nut	-	-	-	8	532	532	
Chayter	2	402	512	-	-	-	512
Eden & Eldon Mixt	3	221	281	-	-	-	281
Gordon Nut	-	-	-	9	1,195	1,195	
Hopper's Main	-	-	-	1	129	129	
Old Etherley	18	1,874	2,389	23	5,452	3,063	
Quarrington Main	1	53	67	1	217	150	
Stockton Eden	1	241	307	-	-	-	307
Shildon	2	63	80	-	-	-	80
South Durham Nut	-	-	-	2	357	357	
Tees Nut	2	146	186	3	333	147	
Tees Primrose	1	206	262	11	1,959	1,697	
Tees Wallsend Nut	-	-	-	1	196	196	
Vane's Old Duck	3	465	592	-	-	-	592
West Hetton	-	-	-	4	675	675	
STOCKTON WALLSEND:							
Auckland	-	-	-	36	8,209	8,209	
Adelaide	53	8,879	11,320	516	120,483	109,163	
Adelaide Mixt	1	111	141	-	-	-	141
Butter Knowle	22	3,908	4,982	135	29,017	24,035	
Cleveland	19	3,218	4,102	33	8,320	4,218	
Chayter's	-	-	-	4	862	862	
Chilton	-	-	-	9	1,733	1,733	
Black Boy	-	-	-	1	98	98	
Cleveland Hetton	13	2,172	2,769	-	-	-	2,769
Dixon's	-	-	-	1	108	108	
Deanery	-	-	-	17	3,737	3,737	
Gordon's	-	-	-	330	75,391	75,391	
Greenfield's	-	-	-	2	209	209	
Hedley's	-	-	-	1	148	148	
Hartlepool	-	-	-	23	4,356	4,356	

QUALITY.	1828 to 1831.			1832 to 1835.		INCREASE in last 4 Years.	DECREASE in last 4 Years.
	Ships.	Chaldrons.	Computed Tons.	Ships.	Tons.	Tons.	Tons.
Stockton Wallsend—*continued.*							
Land's	- -	- -	- -	3	721	721	
Musgrave's	- -	- -	- -	105	19,791	19,791	
New Etherly	13	970	1,236	- -	- -	- -	1,236
Norwood Hetton	91	11,124	14,183	16	2,900	- -	11,283
New Tees	- -	- -	- -	2	392	392	
Old Etherley	51	6,081	7,753	96	22,105	14,352	
South Durham	5	567	722	402	101,489	100,767	
Peirse's	- -	- -	- -	14	2,912	2,912	
Raby	- -	- -	- -	23	5,965	5,965	
Spencer's	- -	- -	- -	14	3,009	3,009	
St. Helen's	- -	- -	- -	84	18,462	18,462	
South End	- -	- -	- -	4	918	918	
Tees	160	24,987	31,858	1,222	271,532	239,674	
Tees Tanfield	- -	- -	- -	16	4,401	4,401	
Victoria	- -	- -	- -	10	2,192	2,192	
Whitton Park	2	363	462	4	673	211	
Wellington	- -	- -	- -	26	5,969	5,969	
West Hetton	- -	- -	- -	145	31,363	31,363	
Small	161	17,940	22,873	28	4,735	- -	18,138
Blyth Coal:							
Blyth	75	9,827	12,529	34	5,414	- -	7,115
Cowpen	320	56,477	72,008	249	52,597	- -	19,411
Hartley	538	134,822	171,898	405	130,443	- -	41,455
Netherton	1	131	167	176	38,316	38,149	
South Togson	- -	- -	- -	2	137	137	
W. E. Astley	1	59	75	- -	- -	- -	75
Various	4	692	878	- -	- -	- -	878
Scotch Coal:							
Alloa	9	732	933	5	601	- -	332
Bridesholm	- -	- -	- -	1	105	105	
Clackmannan	- -	- -	- -	19	2,626	2,626	
Dysart	1	15	19	2	93	74	
Donibristle	- -	- -	- -	1	120	120	
Elgin	3	334	425	- -	- -	- -	425
Eastfield	- -	- -	- -	1	70	70	
Fordel	24	3,234	4,123	9	1,354	- -	2,769
Great Splint	- -	- -	- -	4	545	545	
Halbeath	38	5,961	7,600	38	5,019	- -	2,581
Inverkeithing	5	1,047	1,334	16	2,345	1,011	
Kirkcaldy	2	24	30	- -	- -	- -	30
Lochgelly Mixt	4	420	535	- -	- -	- -	535
Marquis	4	648	826	2	266	- -	560
North Durham Main	- -	- -	- -	5	1,231	1,231	
Newbottle	- -	- -	- -	52	3,164	3,164	
North Hartley	- -	- -	- -	15	4,050	4,050	
Parrot	- -	- -	- -	10	1,390	1,390	
Ruchill	- -	- -	- -	7	2,161	2,161	
Scotch	6	518	660	62	3,774	3,114	
Scremeston Engine	3	414	527	24	6,629	6,102	
Soughton	3	338	430	- -	- -	- -	430
Tranent	- -	- -	- -	18	3,638	3,638	
Wellwood	6	926	1,180	1	350	- -	830
Wemyss	2	108	137	5	531	394	
Scotch Wallsend:							
Burntisland	- -	- -	- -	1	182	182	
Elgin	149	31,580	40,264	211	61,691	21,427	
Greenwich Hospital	19	3,082	3,929	24	5,742	1,813	
Henderson	48	9,792	12,484	91	21,938	9,454	
Jenkins	1	282	359	- -	- -	- -	359
Minto	- -	- -	- -	2	263	263	
Preston Grange	- -	- -	- -	31	6,208	6,208	
Selby	47	9,399	11,963	32	8,760	- -	3,223
Welwood	2	398	507	1	214	- -	293
Henderson's Mixt	- -	- -	- -	1	99	99	
Various	3	488	614	- -	- -	- -	614
Welch Coal:							
Abbey	- -	- -	- -	3	470	470	
Bettws	- -	- -	- -	2	360	360	

QUALITY.	1828 to 1831.			1832 to 1835.		INCREASE in last 4 Years.	DECREASE in last 4 Years.
	Ships.	Chaldrons.	Computed Tons.	Ships.	Tons.	Tons.	Tons.
Welch Coal—*continued.*							
Binding	-	-	-	4	850	850	
Blainey	-	-	-	1	430	430	
Creswell	1	51	65	3	826	761	
Castle Main	1	281	358	1	16	-	342
Cwm Avon	-	-	-	2	105	105	
Graigola	6	778	991	38	8,901	7,910	
Hean Castle	-	-	-	11	2,066	2,066	
Landshipping	32	5,344	6,813	31	6,918	105	
Llangennech	175	25,164	32,084	126	31,749	-	335
Little Milford	-	-	-	2	149	149	
Lougher	-	-	-	2	360	360	
Milford	9	1,495	1,906	2	205	-	1,701
Merthyr	8	1,674	2,134	61	15,600	13,466	
Margam	1	28	35	-	-	-	35
Nevill's Lanelly	1	159	202	75	19,829	19,627	
Oakwood	-	-	-	1	150	150	
Parson's Abbey	1	76	96	-	-	-	96
Pemberton's Old Fiery	1	212	270	-	-	-	270
Penmain	2	238	303	-	-	-	303
Rudry	-	-	-	1	300	300	
Rock Vein	-	-	-	1	35	35	
Stone	106	17,688	22,552	132	32,195	9,643	
Tenby	3	271	345	1	108	-	237
Trimsaran Engine	2	208	265	3	838	573	
Ward's Fiery Vein	4	615	784	-	-	-	784
Ward's Lanelly	96	16,620	21,190	38	10,360	-	10,830
Welch	6	615	784	7	685	-	99
Wain Wilt	2	372	474	-	-	-	474
Small Coal	1	158	201	-	-	-	201
Culm	164	27,311	34,821	65	15,483	-	19,338
YORKSHIRE COAL:							
Astley	1	38	48	3	742	694	
Attercliff Branch Cannell	-	-	-	2	213	213	
Broad Oak	1	168	214	-	-	-	214
Blackburn Bank	1	12	15	3	100	85	
Breslie	1	115	146	-	-	-	146
Banknock	1	15	19	-	-	-	19
Blundell's Orrell	1	74	94	-	-	-	94
Barnsley	28	3,298	4,204	8	879	-	3,325
Broomhill	2	213	271	2	117	-	154
Cairnhill	1	40	51	-	-	-	51
De Green	1	149	189	-	-	-	189
Derbyshire	1	108	137	-	-	-	137
Dunravon	1	48	61	-	-	-	61
Denby, L.	1	125	159	7	641	482	
Eldon Main	9	1,143	1,457	-	-	-	1,457
Eldon Splint	2	250	318	-	-	-	318
Elisecar	-	-	-	67	6,985	6,985	
Flockton	2	56	71	-	-	-	71
Fenton Haigh	1	117	149	-	-	-	149
Flanshaw	3	515	656	2	380	-	276
Gartsherrie	3	144	183	-	-	-	183
Gillyhave	1	200	255	-	-	-	255
Gawthorp	2	338	430	-	-	-	430
Gawber Hall	-	-	-	58	9,250	9,250	
Haigh Moor	-	-	-	1	15	15	
Hallowe's Main	-	-	-	1	100	100	
Holme's Main	-	-	-	33	2,760	2,760	
High Green	-	-	-	2	27	27	
Howard Main	-	-	-	3	275	275	
Inland	-	-	-	32	1,822	1,822	
Kirkham	2	106	135	-	-	-	135
Ledgar Bridge	2	183	233	1	50	-	183
Londore	2	204	260	-	-	-	260
Lowther Main	-	-	-	2	149	149	
Methley	-	-	-	3	476	476	
New Silkstone	5	662	844	-	-	-	844
New Flockton	74	10,586	13,497	98	18,121	4,624	
New Park Gate	1	42	53	2	124	71	
New Gawber Soft	-	-	-	1	45	45	

QUALITY.	1828 to 1831.			1832 to 1835.		INCREASE in last 4 Years.	DECREASE in last 4 Years.
	Ships.	Chaldrons.	Computed Tons.	Ships.	Tons.	Tons.	Tons.
Yorkshire Coal—*continued.*							
New Hall Main	-	-	-	5	390	390	
Old Barnaby Pill	1	44	56	-	-	-	56
Old Silkstone	1	199	253	-	-	-	253
Old Park-gate Mixt	2	23	29	3	125	96	
Old Haigh Moor	20	2,866	3,654	2	379	-	3,275
Old Flockton	-	-	-	14	1,378	1,378	
Overton	1	33	42	1	90	48	
Sheldon	3	266	339	-	-	-	339
Silkstone	393	42,264	53,886	409	50,744	-	3,142
Rotherham Stone	-	-	-	4	200	200	
Smithson's	5	342	436	-	-	-	436
Soughton	9	1,086	1,384	-	-	-	1,384
Sluice Pill	1	73	93	-	-	-	93
Smyth's	3	86	109	-	-	-	109
Smith's Margam	2	16	20	-	-	-	20
Swallow Wood	6	466	594	23	1,123	529	
South Hetton Seam	18	2,597	3,311	13	1,957	-	1,354
South Hartley	2	446	568	-	-	-	568
Ditto Mixt	2	282	359	-	-	-	359
Silkstone Slack	1	106	135	-	-	-	135
Smithson's Inland	2	323	411	-	-	-	411
Standrigg	2	521	664	1	300	-	364
South Hetton	-	-	-	5	633	633	
Stavely	-	-	-	21	696	696	
Strafford Main	-	-	-	11	469	469	
Stanley Main	-	-	-	11	1,248	1,248	
Sturges & Co.	-	-	-	1	21	21	
Tinsley	13	1,025	1,306	-	-	-	1,306
Thorp's Gawber Hall	1	80	102	-	-	-	102
Thorp's Gawber, New	1	132	168	-	-	-	168
Thorp Hall	-	-	-	24	2,138	2,138	
Taff's Well	1	90	114	-	-	-	114
Union	1	16	20	-	-	-	20
Wosbro' Park Main	1	161	205	20	2,452	2,247	
Yorkshire	2	73	93	-	-	-	93
Various	2	634	801	-	-	-	801
YORKSHIRE WALLSEND:							
Aveline	1	136	173	-	-	-	173
Aston	-	-	-	1	84	84	
Barnsley	4	544	693	6	1,028	335	
Devonshire	-	-	-	35	1,128	1,128	
Ditto Mixt	-	-	-	8	476	476	
Gibbon's	1	58	73	-	-	-	73
Haverland	11	1,691	2,156	-	-	-	2,156
Kayes	-	-	-	1	180	180	
Methley	3	294	374	-	-	-	374
Overton	2	314	400	-	-	-	400
Rockley	2	291	371	-	-	-	371
Sibbett's	7	810	1,032	-	-	-	1,032
Shildon Splint	2	247	314	-	-	-	314
FROM SUNDRY PLACES:							
Cannell	26	-	858	29	1,060	202	
Chivington	-	-	-	4	273	273	
Cumberland	-	-	-	1	42	42	
Dysart	4	-	108	-	-	-	108
Denby	1	-	125	-	-	-	125
Lonsdale	-	-	-	1	33	33	
Ravenhead	1	-	308	1	360	52	
Liverpool	-	-	-	1	131	131	
Staffordshire	-	-	-	1	108	108	
Whitehaven	2	-	103	-	-	-	103
Wigan	-	-	-	1	15	15	
Cannell, Small	-	-	-	4	166	166	

Coal Market,
18 July 1836.

James Pearsall,
Clerk and Registrar.

Appendix, No. 26.

VEND of Coals from the different Collieries on the River *Tees*, in the Months of October and November 1835, and April and May 1836.

NAMES of COLLIERIES.	1835.						1836.						TOTAL.		
	OCTOBER.			NOVEMBER.			APRIL.			MAY.					
	London.	Coast.	Total.	London.	Coast.	Total.	London.	Coast.	Total.	London.	Coast.	London, and Coast.	London.	Coast.	London, and Coast.
Auckland St. Helen's	479	931	1,410	543	604	1,147	729	936	1,665	509	812	1,321	2,260	3,283	5,543
Auckland West -	- -	233	233	87	169	256	- -	184	184	- -	114	114	87	700	787
Butter Knowle -	- -	782	782	124	355	479	341	914	1,255	280	748	1,028	745	2,799	3,544
Black Boy - -	2,222	403	2,625	2,310	85	2,395	2,269	6	2,275	2,459	32	2,491	—	—	—
Cockfield - -	508	84	592	372	174	546	289	481	760	536	353	889	1,705	1,092	2,797
Etherley - -	158	667	825	315	415	730	284	706	990	- -	543	543	757	2,331	3,088
Eldon - - -	1,451	108	1,559	1,082	122	1,204	1,315	75	1,390	1,314	40	1,354	5,162	345	5,507
Norwood - -	901	512	1,413	914	446	1,360	1,249	262	1,511	1,241	245	1,486	4,305	1,465	5,770
Shildon - -	694	- -	694	512	38	550	617	- -	617	338	28	366	2,161	66	2,227
Witton Park - -	- -	325	325	- -	168	168	- -	296	296	- -	308	308	—	1,097	1,097
Total - -	6,413	4,045	10,458	6,259	2,576	8,835	7,093	3,860	10,943	6,677	3,223	9,900	17,182	13,178	30,360

Note.—The quantities inserted for Black Boy, in April and May 1836, are the quantities in the same months for 1835, the amounts for 1836 not being correctly ascertained.

Appendix, No. 27.

VEND of Coals from the different Collieries on the River *Wear*, in the Months of October and November 1835.

Basis.	COAL-OWNERS.	1st to 31st OCTOBER 1835.						1st to 30th NOVEMBER 1835.					
		London.	Coast.	Total.	Issue 85 per Thous^{d}.	Over.	Short.	London.	Coast.	Total.	Issue 85 per Thous^{d}.	Over.	Short.
24,000	Morton J. Davison, Esq.	- -	974	974	2,040	-	1,066	- -	1,347	1,347	2,040	-	693
138,000	The Earl of Durham -	5,985	4,621	10,606	11,730	-	1,124	6,954	3,617	10,571	11,730	-	1,159
138,000	Marquis of Londonderry	4,853	5,141	- -	- -	-	- -	2,325	2,027	—	—	—	—
	- Ditto - Seaham -	- -	- -	9,994	11,730	-	1,736	1,857	2,233	8,442	11,730	-	3,288
23,000	H. Stobart, Esq. & Co. -	- -	1,322	1,322	1,955	-	633	- -	1,619	1,619	1,955	-	336
138,000	The Hetton Coal Comp.	9,007	2,489	11,496	11,730	-	234	9,113	2,509	11,622	11,730	-	108
40,000	W. Russell, Esq. & Co., North Hetton.	1,271	1,941	3,212	3,400	-	188	1,847	1,499	3,346	3,400	-	54
18,000	W. Bell, Esq. & Co. Shield Row.	- -	760	760	1,530	-	770	- -	1,144	1,144	1,530	-	386
45,000	T. R. G. Braddyll, Esq. & Co.	2,342	1,122	3,464	3,825	-	361	2,091	960	3,051	3,825	-	774
	W. Bell, Morrison & Co.	Not in regulation.			1,785	-	1,785	- -	- -	- -	1,785	-	1,785
	The Haswell Coal Comp	Commenced on the 1st August to ship coals, and not in regulation.											
564,000		23,458	18,370	41,828	49,725	-	7,897	24,187	16,955	41,142	49,725	-	8,583

Appendix, No. 28.

VEND of COALS from the different Collieries on the River *Wear*, in the Months of April and May 1836.

Basis.	COAL-OWNERS.	1st to 30th APRIL 1836. London.	Coast.	Total.	Issues 65 per Thous^{d}.	Over.	Short.	1st to 30st MAY 1836. London.	Coast.	Total.	Issue 65 per Thous^{d}.	Over.	Short.
24,000	Morton J. Davison, Esq.	- -	1,480	1,480	1,560	-	80	- -	1,133	1,133	1,560	-	427
138,000	The Earl of Durham -	4,820	4,028	8,848	8,970	-	122	3,575	5,038	8,613	8,970	-	357
138,000	Marquiss of Londonderry	2,265	1,329	9,146	8,970	176	—	—	—	—	—	—	—
	- Ditto - Seaham -	2,805	2,747	- -	- -	-	- -	3,550	5,225	8,775	8,970	-	195
23,000	H. Stobart, Esq. & Co. -	- -	1,240	1,240	1,495	-	255	- -	1,343	1,343	1,495	-	152
138,000	The Hetton Coal Comy.	7,229	2,106	9,335	8,970	365	- -	4,258	2,793	7,051	8,970	-	1,919
40,000	W. Russell, Esq. & Co. North Hetton.	1,062	1,572	2,634	2,600	34	- -	1,684	1,167	2,851	2,600	251	—
18,000	W. Bell, Esq. & Co. Shield Row.	- -	1,184	1,184	1,170	14	- -	- -	1,104	1,104	1,170	-	66
45,000	T. R. G. Braddyll, Esq. & Co.	2,839	708	3,547	2,925	622	- -	2,075	747	2,822	2,925	-	103
	W. Bell, Morrison & Co.	- -	—	—	—	—	—	—	—	—	—	—	—
	The Haswell Coal Comp.	2,651	817	3,468	- -	-	- -	1,149	1,045	2,194	—	—	—
564,000		23,671	17,211	40,882	36,660	1,211	457	16,291	19,595	35,886	36,660	251	3,219

There are other Collieries on the Wear not in regulation, and of whose vend I have no means of obtaining an Account.

27 June 1836. *H. Morton.*

Appendix, No. 29.

ISSUES and VEND from Collieries on the *Tyne* in October and November 1835.

OCTOBER 1835. Issue 85 per Thousand	Vended to London.	Coast.	Total Vend.	Over.	Short.		Basis.	NOVEMBER 1835. Issue 85 per Thousand	Vended to London.	Coast.	Total Vend.	Over.	Short.
N. chald.	*N. chald.*	*N. chald.*	*N. chald.*	*N. chald.*	*N. chald.*			*N. chald.*	*N. chald.*	*N. chald.*	*N. chald.*	*N. chald.*	*N. chald.*
2,550	1,497	725	2,222	- -	328	Backworth - -	30	2,550	1,811	485	2,296	- -	254
1,530	1,144	145	1,289	- -	241	Benwell - - -	18	1,530	1,240	43	1,283	- -	247
2,295	1,194	472	1,666	- -	629	Burdon Main - -	27	2,295	1,747	207	1,954	- -	341
3,697½	3,313	144	3,457	- -	240½	Burradon and Killingworth.	43½	3,697½	3,391	337	3,728	- -	30½
—	—	—	—	—	—	Callerton (not working)	—	—	—	—	—	—	—
2,550	1,965	343	2,308	- -	242	Coxlodge - -	30	2,550	1,138	696	1,834	- -	716
1,700	1,094	148	1,242	- -	458	Cramlington - -	20	1,700	719	117	836	- -	864
1,742½	1,750	169	1,919	176½	- -	Elswick - - -	20½	1,742½	1,224	58	1,282	- -	460½
2,465	1,740	342	2,082	- -	383	Fawdon - - -	29	2,465	1,744	310½	3,054½	- -	410½
1,487½	953	122	1,075	- -	412½	Felling - - -	17½	1,487½	831	190	1,021	- -	466½
3,208¾	2,024	773	2,797	- -	411¾	Gosforth - - -	37¾	3,208¾	2,505	369	2,874	- -	334¾
2,465	1,919	230	2,149	- -	316	Heaton - - -	29	2,465	2,010	163	2,173	- -	292
2,465	463	1,058	1,521	- -	944	Hebburn Main - -	29	2,465	971	1,121	2,092	- -	373
1,785	1,282	189	1,471	- -	314	Heworth - - -	21	1,785	1,130	160	1,290	- -	495
1,870	988	768	1,756	- -	114	Holywell - - -	22	1,870	912	815	1,727	- -	143
2,295	2,001	33	2,034	- -	261	Hotspur - - -	27	2,295	1,985	- -	1,985	- -	310
2,210	686	1,164	1,850	- -	360	Jarrow - - -	26	2,210	1,257	1,083	2,340	130	—
1,487½	302	881	1,183	- -	304½	Low Moor - -	17½	1,487½	323	96	419	- -	1,068½
2,380	2,402	205	2,607	227	- -	Manor Wallsend -	28	2,380	2,303	28	2,331	- -	49
1,530	869	230	1,099	- -	431	Monkseaton - -	18	1,530	1,239	261	1,500	- -	30
1,530	- -	993	993	- -	537	Mount Moor - -	18	1,530	- -	1,187	1,187	- -	343
1,870	1,210	609	1,819	- -	51	Pelaw Main - -	22	1,870	1,130	758	1,888	18	—
3,230	1,475	723	2,198	- -	1,032	Percy Main - -	38	3,230	2,111	493	2,604	- -	626
1,955	1,114	151	1,265	- -	690	Seghill - - -	23	1,955	1,192	225	1,417	- -	538
1,530	451	439	890	- -	640	Sheriff Hill - -	18	1,530	125	630	755	- -	775
1,785	1,217	361	1,578	- -	207	Springwell - -	21	1,785	938	214	1,152	- -	633
1,530	182	1,150	1,332	- -	198	St. Lawrence - -	18	1,530	99	971	1,070	- -	460
2,210	651	866	1,517	- -	693	Tanfield Lea & Garesfield.	26	2,210	879	834	1,713	- -	497
1,530	770	- -	770	- -	760	Tanfield Moor - -	18	1,530	1,094	112	1,206	- -	324
2,125	- -	1,950	1,950	- -	175	Team - - - -	25	2,125	- -	1,897	1,897	- -	228
—	—	—	—	—	—	Townley Main (laid in)	—	—	—	—	—	—	—
2,125	- -	1,506	1,506	- -	619	Tyne Main - -	25	2,125	61	1,516	1,577	- -	548
1,997½	1,141	543	1,684	- -	313½	Usworth - - -	26½	1,997½	917	747	1,664	- -	333½
1,955	2,189	64	2,253	298	- -	Walbottle - -	23	1,955	1,376	8	1,384	- -	571
1,700	1,068	680	1,748	48	- -	Waldridge - -	20	1,700	1,525	65	1,590	- -	110
2,380	1,331	419	1,750	- -	630	Walker - - -	28	2,380	1,710	479	2,189	- -	191
2,295	312	681	993	- -	1,302	Wallsend - -	27	2,295	667	781	1,448	- -	847
2,295	902	1,236½	2,138½	- -	156½	Wideopen - -	27	2,295	1,071½	797	1,868½	- -	426½
2,635	1,092	1,140	2,232	- -	403	Willington - -	31	2,635	1,525	986	2,511	- -	124
1,530	1,280	115	1,395	- -	135	Wylam - - -	18	1,530	1,274	64	1,338	- -	192
79,921½	43,971	21,767½	65,738½	749½	14,932½	Total - - -	940½	79,921½	46,174½	19,303½	65,178	178½	14,621½

Appendix, No. 30.

Appendix, No. 30.

Letter from Collector and Comptroller of Custom House, Stockton.

LETTER from the Collector and Comptroller of the Custom House, *Stockton*, to the Chairman of the Committee.

Honourable Sir, Custom-House, Stockton, 23 June 1836.

We have the honour to acknowledge the receipt of your letter, directing that a Return be laid before the Select Committee upon the Coal Trade, of the quantity of Coals shipped at Port Clarence and Stockton-upon-Tees, carried by the Clarence Railway each year since it has been opened: Also, A Return of the quantity of Coals shipped at those Ports during the months of October and November 1835, and the months of April and May 1836.

We beg to observe that the documents required by this Revenue relating to the shipment of coals do not express by which of the railroads they are conveyed to the place of shipment; we, therefore, called upon Mr. John Smith, accountant to the Clarence Railway Company; and enclosed we have the honour to transmit the Returns with which he has furnished us, numbered (1) and (2), and which we believe to be correct.

We also transmit enclosed a Return of the quantity of Coals shipped at Hartlepool during the same periods.

We have, &c.
John Moyle, Collr.
W. J. Williams, Comp.

Appendix, No. 31.

Appendix, No. 31.

Coals shipped at the Clarence Railway Staiths.

A RETURN of the Quantity of Coals shipped at the Clarence Railway Company's Staiths and Drops, at *Port Clarence* and at *Stockton-on-Tees*, in each Year since the commencement, to the 31st May 1836.

YEARS.	Shipped at Port Clarence.	Shipped at Stockton-on-Tees.
	Tons.	*Tons.*
1833	-	1,060
1834	12,270 ½	7,570 ¼
1835	28,295 ½	5,087 ½
1836, to the 31st May	18,151	208 ½

Appendix, No. 32.

Appendix, No. 32.

Coals shipped at the Clarence Railway Staiths.

A RETURN of the Quantity of Coals shipped at the Clarence Railway Company's Staiths, at *Port Clarence* and at *Stockton-on-Tees*, in October and November 1835, and in April and May 1836.

	Shipped at Port Clarence.	Shipped at Stockton-on-Tees.
	Tons.	*Tons.*
October 1835	3,699 ¾	87 ½
November	3,137 ½	147
April 1836	4,129 ¼	95 ½
May	5,154	none.

Appendix, No. 33.

Appendix, No. 33.

Coals shipped at Hartlepool.

A RETURN of the Quantity of Coals shipped at *Hartlepool*, Port of *Stockton*, from the 6th July 1835, being the commencement, until the 31st May 1836, distinguishing each Year; also of the Quantity shipped in the Months of October and November 1835, and April and May 1836.

Tons of coals shipped from the 6 July 1835 to 31 December 1835	27,364
Tons of coals shipped from 1 January 1836 to 31 May 1836	56,325
Tons of coals shipped in the month of October 1835	4,513
Tons of coals shipped in the month of November 1835	5,912
Tons of coals shipped in the month of April 1836	14,091
Tons of coals shipped in the month of May 1836	12,437

Custom-House, 23 June 1836.

John Moyle, Collr.
W. J. Williams, Comp.

Appendix, No. 34.

AN ACCOUNT of the Shipping Prices, as per Fitter's Certificate, of the various Descriptions of COALS brought into the Port of *London*, from the Year 1828 to 1835, both inclusive.

	1828.		1829.		1830.		1831.		1832.		1833.		1834.		1835.	
NEWCASTLE COALS:	*Ch.*	*Ton.*	*Ch.*	*Ton.*	*Ch.*	*Ton.*	*Ch.*	*Ton.*	*Ch.*	*Ton.*	*Ch.*	*Ton.*	*Ch.*	*Ton.*	*Ch.*	*Ton.*
Adair's	12/6	9/9	11/6	8/11	11/6	8/6	12/	9/4	–	9/3	–	9/3	–	9/3	9/6	7/5
Arcot	–	–	–	–	13/3	10/4										
Beaumont	14/	10/11	11/6	8/11	11/6	8/11	11/6	8/11	–	8/6	–	8/				
Bede's Main	–	–	10/3	8/												
Bishop's Main	–	–	11/3	8/9	11/3	8/9	11/3	8/9	–	8/	–	8/	–	8/	–	8/
Burdon	16/3	12/8	11/3	8/9	–	–	–	–	–	–	–	–	–	–	11/9	9/2
Boundary Moor	–	–	11/3	8/9												
Bensham	–	–	–	–	10/3	8/	10/9	8/5	10/9	8/5	8/3	6/5	9/3	7/3	9/9	7/7
Blake's	–	–	–	–	–	–	12/3	9/7	12/3	9/7						
Bell & Co.'s Low Main	–	–	–	–	–	–	12/3	9/7	13/3	10/4						
Bewicke & Co.'s Bean	–	–	–	–	–	–	7/3	5/8	–	4/9						
Blaydon Main	–	–	–	–	–	–	–	–	–	8/6	–	9/6				
Bell & Co.'s Bean	–	–	–	–	–	–	–	–	–	–	7/3	5/8				
Bradley	–	–	–	–	–	–	–	–	–	–	–	–	9/3	7/3	9/3	7/3
Bradley Medomsley	–	–	–	–	–	–	–	–	–	–	–	–	9/	7/		
Charlotte	13/3	10/4	11/3	8/9	12/3	9/7	12/3	9/7	12/9	10/	12/3	9/7	10/3	8/	10/9	8/5
Clark & Co.'s Main	12/9	10/	–	–	13/3	10/4										
Coxlodge	15/3	11/3	13/9	10/9	13/9	10/9	–	–	13/9	10/9						
Clavering	–	–	12/3	9/7	12/3	9/7										
Cramlington	–	–	–	–	11/3	8/9										
Chester Main	–	–	–	–	–	–	–	–	–	9/	–	9/3	–	8/	–	8/6
Carr's Hill	–	–	–	–	–	–	–	–	–	–	–	6/9				
Carr & Co.'s Hartley	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	8/6
Dean's Primrose	11/9	9/2	10/3	8/	10/3	8/	10/3	8/	–	8/3	–	8/3	9/3	7/3	9/3	7/3
Earsdon	12/9	10/	–	–	–	–	11/3	8/9								
Ellison Main	13/3	10/4	–	–	–	–	–	–	–	8/	–	–	–	8/	–	8/9
East Percy	12/9	10/	9/9	7/7	10/3	8/	11/3	8/9	–	8/3	–	7/	–	7/	–	7/
Ellison Main Bean	–	–	–	–	–	–	8/3	6/5	–	5/6						
Ellison Low Main	–	–	–	–	–	–	–	–	–	–	–	6/3	–	7/	–	8/
Felling	11/3	8/9	12/3	9/7	12/3	9/7	12/3	9/7	–	8/4	–	7/6	–	7/6	–	7/6
Forest	12/3	9/7	10/	7/10	11/3	8/9	12/	9/4	11/6	8/11						
Garesfield	12/6	9/9	11/	8/7	–	–	11/	8/7	12/	9/4	12/	9/4	10/	7/10	11/	8/7
Gray's Steam	17/	13/3	12/9	10	9/3	7/3	–									
Greenwell Bean	–	–	–	–	–	–	12/	9/4								
Gosforth Bean	–	–	–	–	–	–	7/3	5/8	7/3	5/8						
Graham's Main	–	–	–	–	–	–	–	–	–	–	–	7/6				
Heaton	15/9	12/4	13/6	10/7	15/3	11/11	14/3	11/2	12/3	9/7	–	–	–	–	12/9	10/
Hebburn	15/9	12/4	13/3	10/4	14/3	11/2	14/3	11/2	–	10/6	–	10/6	–	10/6	–	10/6
Heworth Primrose	12/3	9/7														
Holywell	12/6	9/9	11/6	8/11	12/	9/4	12/	9/4	–	9/6	–	9/6	–	8/	–	8/
Howard Main	–	–	10/3	8/	–	–	12/3	9/7	12/3	9/7	–	10/9	–	10/9	–	10/9
Holywell Reins	–	–	–	–	–	–	–	–			–	–	–	–	–	8/6
Holywell Reins Splint	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	7/6
Hutton Low Main	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	6/6
Jesmond New Main	13/3	10/4														
Jarrow Low Main	–	–	12/3	9/7												
Kenton, West	12/9	10/	11/3	8/9	11/3	8/9	12/3	9/7	–	9/9	–	9/9	–	7/3	–	8/3
Killingworth	15/	11/9	12/6	9/9	–	–	14/	10/11	–	11/6						
Liddell's Main	12/	9/4	12/	9/4	12/	9/4	12/6	9/9								
Long Benton	–	–	–	–	–	–	12/	9/4								
Leaze's Main	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	6/6
Montague	–	–	–	–	–	–	13/3	10/4	–	–	–	–	–	–	–	7/6
Medomsley	–	–	–	–	–	–	–	–	–	–	–	–	11/3	8/9	10/3	8/
Newburn	13/	10/2	12/	9/4	11/6	8/11	12/	9/4	–	9/6	–	9/6	–	8/	–	8/
Newcastle Bean	–	–	–	–	–	–	7/	5/5								
New Hartley	–	–	–	–	–	–	–	–	–	–	–	–	–	8/6		
Old Walker	14/3	11/2	14/3	11/2												
Ord's Redheugh	13/	10/2	10/	7/10	10/	7/10	10/	7/10	–	7/9	–	7/9	–	7/	–	7/
Ouston Main, unscreen[d]	–	–	–	–	–	–	10/	7/10								
Pelaw	12/	9/4	12/	9/4	12/	9/4	12/	9/4	–	7/9	–	7/9	–	9/3	–	9/3
Pontop, Windsor	12/6	9/9	12/6	9/9	12/6	9/9	12/6	9/9	12/6	9/9	12/6	9/9	12/6	9/9	12/6	9/9
Percy Main	–	–	14/3	11/2												
Percy Main Bensham	–	–	13/3	10/4	13/9	10/9	13/3	10/4								
Pitt's South Moor	–	–	10/	7/10	11/6	8/11	11/	8/7	–	8/9	–	–	–	7/7	11/	8/7
Picton Main	–	–	–	–	–	–	–	–	–	–	–	6/	–	6/9	–	6/9
Pontop, Windsor's (S. & T. Co.)	–	–	–	–	–	–	–	–	–	–	–	–	10/3	8/	9/3	7/3

Newcastle Coals—*continued.*	1828.		1829.		1830.		1831.		1832.		1833.		1834.		1835.	
	Ch	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.
Russell's Main	–	–	–	–	–	–	–	–	–	–	–	–	9/3	7/3		
Russell's High Main	–	–	–	–	–	–	–	–	–	–	–	–	10/3	8/	9/9	7/7
Sheriff Hill	–	–	11/3	8/9	–	–	–	–	–	10/3	–	–	–	8/	–	8/
Shipcote	12/	9/4	12/	9/4	12/	9/4	12/6	9/9	–	9/6	–	9/6	–	9/6	–	9/6
Seghill	–	–	7/9	6/												
South Holywell	–	–	–	–	13/	10/2	13/	10/2	12/	9/9	11/	8/7				
South Moor	–	–	–	–	–	–	11/	8/7								
St. Lawrence Main	–	–	–	–	–	–	13/3	10/4	11/6	8/11	11/6	8/11	–	7/6	–	7/6
South Beaumont Main	–	–	–	–	–	–	–	–	–	–	–	–	–	9/3	–	9/6
South Hartley	–	–	–	–	–	–	–	–	–	–	–	–	–	7/3	–	7/3
Stormont Main	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	8/6
Tanfield	12/6	9/9	11/	8/7	12/	9/4	12/	9/4	–	8/9	–	8/9	–	7/7	–	9/4
Townley	12/	9/4	11/	8/7	11/	8/7	11/	8/7	–	8/6	–	8/4	–	9/		
Tanfield Lea	–	–	12/6	9/9	12/6	9/9	12/	9/4								
Thackerah Main	–	–	–	–	–	–	–	–	–	9/3						
Toft Moor Splint	–	–	–	–	–	–	–	–	–	6/6						
Tyne Main	–	–	–	–	–	–	–	–	–	–	9/3	7/3	–	7/3		
Usworth	11/9	9/2	11/9	9/2	–	–	–	–	–	9/	9/9	7/7	–	8/9		
Urpeth Main	–	–	–	–	–	–	–	–	–	–	–	–	–	–	9/9	7/7
Willington	15/	11/9	11/3	8/9	13/9	10/9	13/6	10/7	13/6	10/7	10/3	8/	11/3	8/9	12/3	9/7
Wylam	12/	9/4	11/3	8/9	11/	8/7	12/	9/4	–	9/3	–	8/	–	7/6	–	8/
Walbottle	–	–	11/6	8/11	–	–	–	–	–	–	–	8/				
Wharncliffe	–	–	11/6	8/11	11/6	8/11										
Wade's Eighton Moor	–	–	10/9	8/5												
Willington Best Brown	–	–	5/3	4/1												
West Hartley	–	–	–	–	12/3	9/7	12/9	10/	–	9/	–	9/	–	8/	–	8/
Wade's Bensham	–	–	–	–	–	–	–	–	–	9/3	–	7/				
Windsor's Tanfield	–	–	–	–	–	–	–	–	–	–	–	–	10/3	8/		
Newcastle Wallsend:																
Bede's	13/9	10/9	–	–	–	–	12/3	9/7								
Bell & Brown's	15/9	12/4	11/3	8/9	14/3	11/2	14/3	11/2	14/3	11/2	11/9	9/2	11/9	9/2	12/3	9/7
Bell, Robson & Co.	15/3	11/11	13/3	10/4	14/3	11/2	13/3	10/4	–	10/3	12/3	9/7	12/3	9/7	12/3	9/7
Bewicke & Co.	17/9	13/10	13/9	10/9	15/9	12/4	15/9	12/4	15/9	12/4	14/3	11/2	12/9	10/	13/3	10/4
Blake's	–	–	–	–	13/9	10/9	13/9	10/9	–	9/9	–	8/	–	–	–	8/
Brown's	15/3	11/11	13/3	10/4	14/3	11/2	14/3	11/2	–	10/9	13/9	10/9	11/3	8/9	11/3	8/9
Burraton	14/	10/11	14/3	11/2	14/3	11/2	14/3	11/2	–	11/6	–	11/6	–	11/6	–	11/6
Bensham	–	–	13/3	10/4	13/3	10/4										
Boundary	–	–	10/9	8/5	11/9	9/2	11/9	9/2	–	9/3	–	8/6				
Carr & Co.	14/9	11/6	12/3	9/7	13/3	10/4	12/3	9/7	–	9/9	–	8/	–	8/	–	8/6
Clark & Co.	15/3	11/11	11/3	8/9	11/6	8/11	13/3	10/4	–	9/9	–	7/6	–	7/6	–	7/9
Cramlington	17/3	13/6	12/9	10/	12/9	10/	12/9	10/								
Callerton	–	–	–	–	12/	10/2	13/6	10/7	–	8/6	–	8/6				
Callerton Mixt	–	–	–	–	–	–	11/9	9/2								
Chirton	–	–	–	–	–	–	–	–	10/9	8/5	10/9	8/5	10/9	8/5	10/3	8/
Campbell's	–	–	–	–	–	–	–	–	–	–	10/3	8/				
Durham	–	–	–	–	–	–	–	–	–	–	–	–	10/9	8/5		
Dean's Primrose	–	–	–	–	–	–	–	–	–	–	–	–	–	–	10/3	8/
Ellison	15/9	12/4	15/	11/9	14/3	11/2										
Greenwell	–	–	–	–	13/3	10/4	12/3	9/7	–	9/6	–	7/3				
Gosforth	–	–	–	–	15/9	12/4	15/9	12/4	–	12/3	–	12/3	–	10/9	–	10/9
Heworth	13/3	10/4	12/3	9/7	12/3	9/7										
Hilda	14/3	11/2	11/9	9/2	13/3	10/4	13/3	10/4	–	10/9	–	10/9	–	10/9	11/9	9/2
Hotspur's	15/3	11/11	11/3	8/9	13/3	10/4	13/9	10/9	–	10/9	–	10/9	–	10/9	11/9	9/2
Heaton	–	–	13/9	10/9	15/3	11/11	15/3	11/11	12/3	9/7	12/3	9/7	12/3	9/7	13/3	10/4
Hazlerigg's	–	–	–	–	–	–	–	–	–	11/						
Howdon	–	–	–	–	–	–	–	–	–	–	–	9/6	–	9/6	–	9/6
Jesmond	16/3	12/8	16/3	12/8	–	–	13/3	10/4	–	10/6	–	9/6	–	8/3	–	8/3
Joliffe's	–	–	–	–	–	–	–	–	–	8/3	–	9/3	–	10/		
Killingworth	–	–	–	–	–	–	15/3	11/11	–	11/6	–	11/6	–	11/6	–	11/6
Lanchester	–	–	–	–	–	–	–	–	–	–	–	–	11/3	8/9	10/3	8/
Monkseaton	–	–	–	–	12/3	9/7	12/3	9/7	–	8/9						
Medomsley	–	–	–	–	–	–	–	–	–	–	–	–	10/3	8/	11/3	8/9
Newmarch	16/	12/6	14/	10/11	15/	11/9	15/	11/9	–	11/3	–	9/	–	9/	–	9/
Newcastle	15/3	11/11	15/3	11/11												
Northumberland	14/9	11/6	11/3	8/9	13/3	10/4	13/9	10/9	13/9	10/9	12/3	9/7	10/9	8/5	11/9	9/2
Newbiggin	–	–	–	–	–	–	–	–	11/3	8/9						
Peareth	14/	10/11	12/3	9/7	12/6	9/9	12/6	9/9	–	8/	–	9/6	–	9/6	–	9/6
Perkins'	16/6	12/11	13/	10/2	13/6	10/7	13/6	10/7	–	10/6	–	10/6	–	10/6	–	10/6
Riddell's	16/3	12/8	13/9	10/9	15/3	11/11	15/3	11/11	–	11/9	–	11/9	–	10/9	–	9/9
Russell's	16/6	12/11	11/3	8/9	15/9	12/3	15/9	12/3	13/3	10/4	11/3	8/9	11/3	8/9		
Todd & Watson's	–	–	–	–	–	–	–	–	12/	9/4	11/	8/7	–	7/3		
Walker	16/3	12/8	15/9	12/4	15/9	12/4	15/3	11/11	–	12/6	–	8/2	–	9/	–	9/3
Woodside	17/3	13/6	–	–	–	–	–	–	–	–	11/3	8/9	10/3	8/	11/9	9/2
Wharton	–	–	14/	10/11												
Waldridge	–	–	–	–	–	–	–	–	9/3	7/3	9/6	7/5	9/6	7/5	9/3	7/3

	1828.		1829.		1830.		1831.		1832.		1833.		1834.		1835.	
SUNDERLAND COALS:	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.
Beamish South Moor	13/9	10/9	–	–	12/9	10/	13/3	10/4	–	10/	10/3	8/	8/9	6/10	9/	7/
Bean	–	–	–	–	–	–	–	–	–	–	6/9	5/3				
Bell's Primrose	–	–	–	–	–	–	12/3	9/7	–	9/6	–	9/6	–	8/6	–	8/6
Beamish Morton	–	–	–	–	–	–	–	–	10/9	8/5						
Bowes's Main	–	–	–	–	–	–	–	–	–	–	–	8/6				
Clarence New Primrose	–	–	–	–	–	–	–	–	–	–	–	–	11/6	8/11		
Coxgreen Main	–	–	–	–	–	–	–	–	–	–	–	–	9/3	7/3		
Denmark Main	12/9	10/	12/3	9/7	–	–	12/3	9/7								
Durham Main	12/3	9/7														
Davison's Morton Main	12/3	9/7	–	–	–	–	–	–	–	9/3						
Eden Main	14/9	11/6	14/9	11/6	14/3	11/2	14/9	11/6	–	10/9	14/9	11/6	–	8/6	–	9/3
Fawcett	12/9	10/	12/3	9/7	11/3	8/9	–	–	–	–	9/6	7/5				
Harraton	12/9	10/	11/9	9/2	–	–	12/3	9/7	–	–	–	–	9/9	7/7		
Hutton South Moor	13/9	10/9														
Hetton High Main	–	–	–	–	–	–	10/3	8/	–	–	–	–	–	–	9/	7/
Lambton Primrose	14/9	11/6	11/9	9/2	14/3	11/2	14/3	11/2	–	10/9	–	8/6	–	8/6	–	9/3
Lambton Eden Main	14/9	11/6														
Lyon's Main	14/9	11/6														
Morton Main	14/3	11/2	–	–	–	–	12/3	9/7	–	–	–	–	11/3	8/9		
Nesham	14/9	11/6	11/9	9/2												
Nut	–	–	8/3	6/5												
Old Duck	13/3	10/4														
Pelaw Main	13/3	10/4														
Primrose Main	13/3	10/4	14/3	11/2												
Russell's High Main	13/3	10/4	13/3	10/4	12/9	10/	12/3	9/7	–	–	10/3	8/				
Russell's Lyon's Main	15/3	11/11	10/3	8/	14/	10/11	14/3	11/2	14/9	11/6	14/3	11/2	11/3	8/9	12/	9/4
Russell's Hetton Nut	–	–	–	–	–	–	8/3	6/5	7/3	5/8						
Richmund Main	–	–	–	–	–	–	–	–	–	–	–	–	9/6	7/5	9/6	7/5
Russell's Eden Main	–	–	–	–	–	–	–	–	–	–	–	–	11/3	8/9		
Russell's Primrose	–	–	–	–	–	–	–	–	–	–	–	–	–	–	9/9	7/7
South Moor	13/9	10/9	–	–	–	–	13/3	10/4								
Springwell Main	13/3	10/4	12/9	10/	–	–	12/9	10/	–	–	9/3	7/3				
Stobart's Bowse's	12/9	10/	8/3	6/5	7/3	5/8										
Stobart's Eden	13/3	10/4	13/3	10/4	11/3	8/9										
Stobart's Primrose	14/9	11/6	–	–	10/3	8/5										
Shieldrow	–	–	–	–	–	–	14/6	11/4								
Urpeth Main	–	–	–	–	–	–	–	–	–	–	–	–	–	8/6		
Vane's Main	–	–	–	–	–	–	12/9	10/								
Wade's Eden Main	14/9	11/6	14/9	11/6												
Wade's Springwell	14/9	11/6	12/9	10/												
Wear Primrose	–	–	–	–	12/9	10/										
Wade's Harraton	–	–	–	–	10/6	8/2										
Wallsend Main	–	–	–	–	–	–	13/3	10/4								
Wyburg Main	–	–	–	–	–	–	–	–	–	–	–	–	13/3	10/4		
SUNDERLAND WALLSEND:																
Bean	8/3	6/5														
Braddyll's Hetton	–	–	–	–	–	–	–	–	–	–	13/	10/2	–	10/	–	11/
East Rainton	–	–	–	–	–	–	–	–	–	–	–	–	–	–	13/3	10/4
Hebdon	18/3	14/3	–	–	–	–	–	–	15/3	11/11						
Hetton	18/3	14/3	15/3	11/11	16/3	12/8	16/3	12/8	–	12/6	13/3	10/4	13/3	10/4	14/3	11/2
			13/3	10/4												
Hetton & Lyons	–	–	–	–	–	–	15/3	11/11								
Haswell	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	11/
Lambton's	18/3	14/3	13/	10/2	16/3	12/8	16/3	12/8	–	12/3	–	10/	–	10/	–	10/9
Lyon's	15/3	11/11	11/3	8/9	14/3	11/2	14/3	11/2	–	–	11/3	8/9	11/3	8/9	12/3	9/7
Lumley	–	–	13/	10/2												
Nut	8/3	6/5	–	–	7/6	5/10										
Ravensworth	10/9	8/5														
Russell's Hetton	18/3	14/3	15/3	11/11	16/3	12/8	16/3	12/8	16/3	12/8	13/3	10/4	13/3	10/4	14/3	11/2
					14/3	11/2	14/3	11/2	14/3	11/2	11/3	8/9	11/3	8/9	12/3	9/7
Russell's Lyon's	–	–	–	–	–	–	–	–	11/9	9/2	10/3	8/				
Simpson's	14/3	11/2	9/9	7/7	12/3	9/7	12/9	10/	12/3	9/7						
Steam-boat	–	–	–	–	–	–	–	–	–	–	–	–	10/3	8/		
Springwell	15/9	12/4	12/9	10/	12/9	10/	–	–	–	–	–	–	13/3	10/4	–	10/9
Stewart's	18/3	14/3	15/3	11/11	16/3	12/6	16/3	12/6	16/3	12/6	13/3	10/4				
			13/3	10/4												
Stewart's Seaham	–	–	–	–	–	–	–	–	–	13/	13/	10/2	–	10/	–	11/
Stobart's	14/3	11/2	–	–	13/3	10/4	12/3	9/7	–	9/9	–	8/	–	8/6	–	8/6
Urpeth	–	–	–	–	–	–	–	–	–	–	10/6	8/2	11/6	8/11		
Wade's Springwell	14/9	11/6	12/3	9/7												
Wear	12/9	10/	–	–	12/9	10/										
Wade's Hebdon	–	–	–	–	14/3	11/2										
STOCKTON COAL:																
Adelaide Nut	–	–	–	–	–	–	–	–	6/3	4/10	6/6	5/1	5/	3/11		
Black Boy	14/	10/11	–	–	13/3	10/4										
Black Boy Mixed	–	–	13/	10/2												
Black Boy Splint	–	–	–	–	9/	7/										

(continued)

Stockton Coal—*cont.*	1828.		1829.		1830.		1831.		1832.		1833.		1834.		1835.	
	Ch.	*Ton.*	*Ch.*	*Ton.*	*Ch.*	*Ton.*	*Ch.*	*Ton.*	*Ch.*	*Ton.*	*Ch.*	*Ton.*	*Ch.*	*Ton.*	*Ch.*	*Ton.*
Chayter	11/6	8/11	–	–	–	–	12/3	9/7								
Butter Knowle Main	–	–	–	–	–	–	13/3	10/4	13/3	10/4	13/	10/2	12/	9/4	11/	8/7
Butter Knowle Nut	–	–	–	–	–	–	–	–	–	–	–	–	–	–	6/3	4/10
Eden Mixed	12/	9/4	–	–	12/6	9/9										
Gordon Nut	–	–	–	–	–	–	–	–	–	–	–	5/	–	–	6/9	5/3
Hopper's Main	–	–	–	–	–	–	–	–	–	–	–	–	–	–	8/	6/3
Old Etherley	–	–	12/6	9/9	13/	10/2	–	–	–	–	9/	7/	10/9	8/5		
Quarrington Main	–	–	–	–	–	–	12/	9/4	–	–	–	–	–	–	12/6	9/9
Shildon	–	–	–	–	12/3	9/7										
South Durham Nut	–	–	–	–	–	–	–	–	6/3	4/10	–	–	5/	3/11		
Tees Nut	–	–	–	–	–	–	9/3	7/3	6/6	5/1	–	–	–	–	6/9	5/3
Tees Primrose	–	–	–	–	–	–	12/	9/4	12/	9/4						
Vane's Old Duck	–	–	–	–	–	–	14/3	11/2								
West Hetton Splint	–	–	–	–	–	–	–	–	–	–	–	–	–	–	7/6	5/10
W. E. Adelaide	–	–	–	–	13/	10/2	12/9	10/	12/6	9/9	10/6	8/2	11/3	8/9	12/3	9/7
Adelaide Mixed	–	–	–	–	–	–	12/6	9/9								
Butter Knowle	–	–	–	–	14/3	11/2	14/	10/11	14/	10/11	14/3	11/2	12/6	9/9	11/9	9/2
Auckland	–	–	–	–	–	–	–	–	–	–	–	–	10/9	8/5	10/9	8/5
Cleveland	–	–	–	–	13/6	10/7	13/3	10/4	–	11/6						
Chaytor's	–	–	–	–	–	–	–	–	–	–	–	–	11/	8/7	11/	8/7
Chilton	–	–	–	–	–	–	–	–	–	–	–	–	–	–	13/3	10/4
Black Boy	–	–	–	–	–	–	–	–	–	–	–	–	–	–	12/6	9/9
Cleveland Hetton	–	–	–	–	–	–	–	–	–	–	–	–				
Dixon's	–	–	–	–	–	–	14/3	11/2								
Stockton Wallsend:																
W. E. Deanery	–	–	–	–	–	–	–	–	–	–	–	–	11/	8/7	–	7/9
Gordon's	–	–	–	–	–	–	–	–	14/	10/11	–	–	11/3	8/9	13/	10/2
Greenfield's	–	–	–	–	–	–	–	–	–	–	13/	10/2				
Hedley's	–	–	–	–	–	–	–	–	–	–	–	–	10/9	8/5		
Hartlepool	–	–	–	–	–	–	–	–	–	–	–	–	–	–	12/3	9/7
Land's	–	–	–	–	–	–	–	–	–	–	–	–	–	–	10/3	8/
Musgrave's	–	–	–	–	–	–	–	–	11/6	8/11	9/	7/	10/	7/10	10/	7/10
New Etherly	15/	11/9	15/	11/9	15/	11/9	15/	11/9								
Norwood Hetton	–	–	–	–	14/3	11/2	14/3	11/2	14/3	11/2	–	–	–	–	13/	10/2
New Tees	–	–	–	–	–	–	–	–	–	–	–	–	–	–	13/	10/2
Old Etherly	15/	11/9	12/6	9/9	–	–	12/9	10/	11/	8/7	10/6	8/2	10/	7/10	9/3	7/3
Peirse's	–	–	–	–	–	–	–	–	–	–	–	–	11/3	8/9		
Raby	–	–	–	–	–	–	–	–	–	–	–	–	12/	9/4	12/	9/4
South Durham	–	–	–	–	–	–	11/6	8/11	12/	9/4	10/6	8/2	11/3	8/9	12/3	9/7
St. Helen's	–	–	–	–	–	–	–	–	–	–	–	–	13/	10/2	13/3	10/4
South End	–	–	–	–	–	–	–	–	–	–	–	–	–	–	10/3	8/
Spencer's	–	–	–	–	–	–	–	–	–	–	10/	7/10				
Tees Tanfield	–	–	–	–	–	–	–	–	–	–	–	–	10/9	8/5	9/3	7/3
Tees	–	–	–	–	14/	10/11	12/6	9/9	14/3	11/2	12/3	9/7	12/3	9/7	13/6	10/7
Victoria	–	–	–	–	–	–	–	–	–	–	–	–	13/6	10/7	13/6	10/7
Whitton Park	–	–	–	–	–	–	12/3	9/7	14/6	11/4	11/3	8/9				
Wellington	–	–	–	–	–	–	–	–	–	–	–	–	13/	10/2	12/	9/4
West Hetton	–	–	–	–	–	–	–	–	–	–	–	–	11/6	8/11	12/6	9/9
Blyth Coal:																
Blyth	10/	7/10	10/	7/10	10/	7/10	10/	7/10	–	6/	–	6/	–	5/	–	5/6
Cowpen	12/6	9/9	12/6	9/9	14/	10/11	14/	10/11	–	8/6	–	8/6	–	8/	–	8/
Hartley	12/6	9/9	12/6	9/9	12/6	9/9	12/6	9/9	–	9/	–	8/	–	8/	–	8/
Netherton	–	–	–	–	–	–	12/6	9/9	–	8/6	–	8/	–	8/	–	8/
South Togson	–	–	–	–	–	–	–	–	–	8/	–	7/6				
W. E. Astley	–	–	–	–	–	–	10/6	8/2								
Scotch Coal:																
Fordel	12/6	9/9	12/6	9/9	12/6	9/9	11/6	8/11	–	9/6						
Halbeath	–	–	–	–	–	–	–	–	–	8/6	–	8/				
Newbottle	–	–	–	–	–	–	–	–	–	–	14/	10/4	15/	11/9	15/	11/9
Parrot	–	–	–	–	–	–	–	–	–	8/6						
Wemyss	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	5/
W. E. Elgin	–	–	–	–	–	–	–	–	–	9/3	–	9/	–	9/	–	9/
Henderson	11/3	8/9	11/3	8/9	10/	7/10	10/	7/10	–	7/6						
Minto	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	7/
Preston Grange	–	–	–	–	–	–	–	–	–	8/6	–	8/6				
Selby	–	–	–	–	12/6	9/9	12/6	9/9	–	7/	–	7/				
Henderson & Parrot	–	–	–	–	–	–	–	–	–	9/						
Alloa Main	–	–	–	–	–	–	–	–	–	6/						
Welch Coal:																
Binding	–	–	–	–	–	–	–	–	–	5/6						
Graigola	–	–	–	–	–	–	–	–	–	7/6	–	7/6	–	7/	–	7/
Llangennech	–	–	–	–	15/	11/9	15/	11/9								
Merthyr	–	–	–	–	–	–	–	–	–	–	–	7/6	–	7/6	–	7/6

Yorkshire Coal:	1828.		1829.		1830.		1831.		1832.		1833.		1834.		1835.	
	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	Ton.	Ch.	
Attercliff Branch Cannell	–	–	–	–	–	–	–	–	–	10/						
Blundell's Orrell	–	–	–	–	12/	9/4										
Barnsley	–	–	–	–	–	–	–	–	–	8/6	–	8/6	–	7/6		
Broom Hill	–	–	–	–	–	–	–	–	–	8/6						
Eldon Main	12/	9/4														
Eldon Splint	11/	8/7														
Elisecar	–	–	–	–	–	–	–	–	–	8/	–	8/	–	–	–	9/
Flanshaw	–	–	–	–	–	–	–	–	–	9/						
Gartsherrie	–	–	–	–	10/	7/10										
Gawber Hall	–	–	–	–	–	–	–	–	–	9/	–	8/6	–	8/	–	7/6
Holmes Main	–	–	–	–	–	–	–	–	–	–	–	8/	–	–	–	8/
High Green	–	–	–	–	–	–	–	–	–	–	–	8/6				
Howard Main	–	–	–	–	–	–	–	–	–	–	–	–	–	9/		
Inland	–	–	–	–	–	–	–	–	–	9/6						
Lowther Main	–	–	–	–	–	–	–	–	–	10/						
New Flockton	–	–	–	–	–	–	–	–	–	9/6	–	9/6	–	9/6	–	9/6
New Park Gate	–	–	–	–	–	–	–	–	–	–	–	9/				
New Hall Main	–	–	–	–	–	–	–	–	–	10/	–	10/				
Old Park Gate	–	–	–	–	–	–	–	–	–	6/						
Old Haigh Moor	–	–	–	–	–	–	11/	8/7	–	9/6						
Old Flockton	–	–	–	–	–	–	–	–	–	8/	–	–	–	–	–	10/
Silkstone	–	–	–	–	–	–	–	–	–	9/6	–	9/6	–	9/6	–	8/6
Rotheram Stone	–	–	–	–	–	–	–	–	–	–	–	10/				
Swallow Wood	–	–	–	–	–	–	–	–	–	–	–	5/				
South Hetton Seam	–	–	–	–	–	–	–	–	–	8/6						
South Hetton	–	–	–	–	–	–	–	–	–	8/6						
Strafford Main	–	–	–	–	–	–	–	–	–	–	–	5/				
Stanley Main	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	9/
Thorp Hall	–	–	–	–	–	–	–	–	–	–	–	8/	–	9/		
W. E. Barnsley	–	–	–	–	–	–	–	–	–	9/						
Haverland	–	–	–	–	8/	6/3										
Kaye's	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	10/
Rockley	–	–	–	–	9/	7/										

Coal Market, 18 July 1836.

James Pearsall
Clerk and Registrar.

Appendix, No. 35.

AN ACCOUNT showing the Price at Market of Riddell's Wallsend Coals, on the First Sales in each Month, from January 1830 to December 1831; also, the Average Price per Year.

Years.	January.	Febr.	March.	April.	May.	June.	July.	August.	Septr.	October.	Novr.	Decr.	AVERAGE. p' Chal.	AVERAGE. p' Ton.
Per Chaldron:														
1830	35/6	39/9	33/6	35/	31/6	32/6	33/	33/	35/3	35/3	34/9	36/3	34/5	26/11
1831	36/6	34/3	* 28/3	26/	31/	33/3	30/	29/3	28/9	30/6	29/6	33/6	31/2	24/4

* The duty of 6*s.* per chaldron was taken off on the 1st March 1831.

James Pearsall,
Clerk and Registrar.

Coalmarket, June 1836.

Appendix, No. 36.

AN ACCOUNT showing the Price at Market of Hetton's Wallsend Coals, on the First Sales in each Month, from January 1830 to December 1831; also, the Average Price per Year.

Years.	January.	Febr.	March.	April.	May.	June.	July.	August.	Septr.	October.	Novr.	Decr.	AVERAGE. p' Chal.	AVERAGE. p' Ton.
Per Chaldron:														
1830	36/9	41/	34/	35/3	33/3	33/6	34/6	34/6	37/	37/	36/6	39/	36/2	28/3
1831	38/	36/	* 31/6	29/	35/	35/	31/	31/6	32/	33/9	32/6	34/	33/3	25/11

* The duty of 6*s.* per chaldron was taken off on the 1st March 1831.

James Pearsall,
Clerk and Registrar.

Coal-market, June 1836.

Appendix, No. 37.

Appendix, No. 37.

Average Prices in 1830.

AVERAGE Prices of every Description of COAL, sold at the Coal-Market for the Year 1830.

NEWCASTLE.

	s.	d.
Adair's	32	–
Arcot	29	8
Beaumont	30	1
Bensham	28	11
Bishop's Main	28	4
Charlotte	30	10
Clavering	30	9
Clark and Co. Main and W. E. mixed	29	9
Coxlodge	33	9
Cramlington Main	27	6
Dean's Primrose	30	1
East Percy	29	2
Felling	28	10
Forrest	30	4
Gray's Steam	27	–
Hebburn	32	9
Heaton	34	–
Holywell	32	1
Jarrow Main	27	6
Kenton West	32	5
Killingworth	32	11
Liddell	29	2
Newburn	31	4
Ord's Redheugh	28	11
Pelaw	31	–
Percy Main Bensham	31	9
Pitt's South Moor	29	1
Pontop Windsor	28	10
Shipcote	29	11
South Holywell	29	2
Tanfield	30	7
Tanfield Lea	29	5
Townley	30	9
West Hartley	34	3
Wharncliffe Main	29	3
Willington	33	6
Wylam	31	11

NEWCASTLE WALLSEND.

Bell and Brown	33	9
Bell, Robson & Co.	33	5
Bensham	31	7
Bewicke & Co.	34	8
Blake	30	11
Boundary	30	5
Brown	32	8
Burraton	32	9
Callerton	30	4
Carr & Co.	31	2
Clark & Co.	31	8
Cramlington	29	5
Ellison	31	3
Greenwell	30	9
Gosforth	34	10
Heaton	34	7
Heworth	30	11
Hilda	32	8
Hotspur	33	2
Monkseaton	31	2
Newmarch	33	11
Northumberland	33	–
Peareth	31	2
Perkins	33	–
Riddell	34	5
Russell	35	1
Walker	34	4

SUNDERLAND.

Beamish South Moor	27	3
Eden Main	34	5
Eden New	29	–
Eden New Eden	30	6
Fawcett	27	–
Harraton	26	–
Lambton Primrose	34	1
Lyon's Main	31	6
Russell's High Main	30	–
Russell's Lyon's Main	35	–
Stobart's Bowse	27	–
Stobart's Eden	28	9
Stobart's Primrose	31	–
Wear Primrose	29	9

SUNDERLAND WALLSEND.

Eden	35	6
Hetton	36	2
Lambton	36	–
Lyons	34	2
Russell's Hetton	36	–
Russell's Lyons	33	11
Simpson	27	9
Springwell	28	10
Stewart's	36	2
Stobart's	29	7
Wade's Hebdon	32	6
Wear	29	–

SMALL.

Adare	26	–
Beamish South Moor	19	3
Black Boy	16	–
Eden Main	17	6
Ellison	21	–
Hebburn	19	–
Llangennech Pemberton	28	–
New Coundon & Black Boy	19	6
Newcastle	20	–
New Etherley	19	6
Old Etherley	20	3
Small	21	3
Tyne	22	1
Tyne Main	21	–
Wallsend Brown	18	11
Wallsend Carr & Co.	21	–
Wallsend Callerton	18	11
Wallsend Chipstead	17	2
Wallsend Davison	18	–
Wallsend Gosforth	19	3
Wallsend Lambton	23	4
Wallsend Newmarch	21	–
Wallsend Norwood Hetton	16	3
Wallsend Perkins	17	6
Wallsend Russell's, Bell and Brown's mixed	17	3
Wallsend Simpson	22	–
Wallsend Stobart's	22	5
Wallsend Tees	18	5
Wallsend	19	10
Wallsend Woodside	20	7

BLYTH, SCOTCH, WELSH AND YORKSHIRE.

Banknock	34	–
Barnsley New	30	3
Black Boy	29	5
Black Boy splint	25	–
Blundell's Orrell	34	6
Blyth	26	7
Brislie	25	6
Cannell, per ton	42	10
Cinders	27	–
Cowpen	30	8
Culm	26	9
Dysart, per ton	21	8
Eden	28	–
Eden and Eldon mixed	30	9
Fenton's Haigh Moor	24	6
New Flockton	30	10
Fordel	31	6
Gartsherry	25	–
Hartley	32	1
Halbeath	27	9
Kirkham	30	–
Kirkaldy	45	–
Landshipping	50	5
Llangennech	39	5
Old Haigh Moor	29	6
Old Etherley	31	5
Shildon	29	–
Silkstone	30	11
Stone	41	6
Swallow Wood	27	10
Union	30	3
Wain Wilt	27	9
Warde's Llanelly	34	6
Wellwood	26	6
Welsh	30	–
Wemyss	35	–
Yorkshire	25	6
Wallsend Adelaide	33	
Wallsend Butter Knowl	36	–
Wallsend Cleveland	33	7
Wallsend Elgin	30	6
W. E. Greenwich Hospital	31	4
Wallsend Haverland	27	11
Wallsend Henderson	29	6
Wallsend New Etherley	30	–
W. E. Norwood Hetton	34	3
Wallsend Overton	27	11
Wallsend Rockley	28	3
Wallsend Selby	27	10
Wallsend Tees	32	10
Wallsend Warsbro'	27	–

Office of Clerks of the Market,
1 March 1831.

James Pearsall,
One of the Clerks of the Coal-Market.

Appendix, No. 38.

STATEMENT of the Price of Coals on Four Market-days in April 1830.

Appendix, No. 38.

Price of Coals on Four Market-days.

APRIL 1830.	19th.		21st.		23d.		26th.	
SUNDERLAND:	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*
Lambton Primrose	-	-	32	-	32	-	32	6
Wallsend Hetton's	35	-	-	-	34	10½	35	-
Ditto Lambton	35	6	35	-	35	-	—	
Ditto Lyon's	-	-	-	-	33	6	32	9
Ditto Russell's Hetton's	35	-	35	-	-	-	34	9
Ditto Russell's Lyon's	-	-	32	-	33	3	32	6
Ditto Stewart's	35	-	35	1½	35	-	35	-
Ditto Stobarts	29	-	—		—		—	
BLYTH:								
Cowpen Main	28	-	—		—		—	
Hartley	29	-	29	-	29	-	29	-
NEWCASTLE:								
Adair's Main	29	6	30	-	-	-	29	6
Beaumont	28	6	-	-	28	-	28	-
Bensham	-	-	26	9	26	9	—	
Bishop	26	6	26	6	-	-	26	6
Charlotte Main	30	-	-	-	31	9	—	
East Percy	27	6	-	-	27	-	27	-
Felling Main	27	-	-	-	-	-	27	3
Hebburn Main	31	6	—		—		—	
Holywell Main	30	-	30	-	30	-	31	-
Kenton West	-	-	-	-	32	-	32	-
Killingworth	32	-	32	3	32	3	32	-
Ord's Redheugh	26	6	-	-	26	-	26	6
Liddell's	27	-	27	-	—		—	
Pelaw Main	30	-	30	-	30	-	—	
Percy Bensham	-	-	30	3	—		—	
Pontop Windsor	27	-	26	6	26	6	26	-
Shipcote	-	-	-	-	27	3	—	
Tanfield Moor	28	6	29	-	29	-	30	-
Tanfield Lea	27	6	27	6	27	6	27	6
Townley Main	28	3	28	3	27	6	27	9
Willington	32	6	-	-	-	-	32	9
Wylam Moor	30	-	30	-	30	-	—	
Wharncliffe	26	6	27	-	27	-	—	
Wallsend, Bell & Brown	32	10½	-	-	-	-	33	3
Ditto, Bell's Robson & Co.	32	3	-	-	32	6	32	9
Ditto, Bewicke	34	-	33	6	33	6	33	6
Ditto, Blake	29	-	—		—		—	
Ditto, Brown's	30	6	—		—		—	
Ditto, Burraton	32	-	—		—		—	
Ditto, Callerton	-	-	-	-	31	9	31	9
Ditto, Carr & Co.	-	-	29	-	29	6	30	-
Ditto, Clark & Co.	30	6	-	-	30	6	30	6
Ditto, Cramlington	27	-	26	6	26	6	27	-
Ditto, Gosforth	34	-	34	1½	34	9	—	
Ditto, Hilda	31	9	32	-	32	-	32	-
Ditto, Hotspur	32	-	-	-	32	-	—	
Ditto, Heaton	33	6	-	-	33	9	—	
Ditto, Newmarch	33	-	33	3	33	6	33	3
Ditto, Northumberland	31	6	32	1½	32	3	32	6
Ditto, Peareth	29	-	30	-	-	-	29	7
Ditto, Perkins	31	6	32	-	31	9	32	3
Ditto, Riddell's	33	6	34	-	33	6	33	10½
Ditto, Russell's	33	6	33	-	32	9	33	4½
Ditto, Walker	33	6	33	6	33	-	33	4½
TOTAL	1,377	7½	982	1½	1,204	7½	1,114	3

(*continued*)

Appendix, No. 38.

Price of Coals on Four Market-days.

Upon the preceding Statement the following calculation is founded :—

AVERAGE Price per Chaldron of COALS on all sorts, except Small Coal, Sold on four Market-days.

1830 :	Sorts.		s.	d.		£.	s.	d.	
April 19	45	sold for	1,377	7½	Average	1	10	7¼	p'chald.
— 21	32	—	982	1½	—	1	10	8¼	—
— 23	39	—	1,204	7½	—	1	10	10½	—
— 26	36	—	1,114	3	—	1	10	11¼	—
	152					6	3	1¼	

	£.	s.	d.	
Average price of four market-days	1	10	9¼	p'chald.
From which the buyer was allowed to deduct for ingrain	—	1	5½	—
	1	9	3¾	—
In addition to which the purchaser paid 8 *d.* metage and 1 *d.* market dues	—	—	9	—
Equal to 1 *l.* 3 *s.* 6⅞ *d.* per ton, or	1	10	—¾	—

	s.	d.	
Freight from the Tyne	9	6	per ton.
— Wear	10	—	—
	19	6	—

	s.	d.
Average freight	9	9
Insurance	—	2

London Charges :

	s.	d.		
Lord Mayor's dues —¼ *d.* per Newcastle chaldron, and groundage 6 *d.*, say		—⅛		
Market dues		1		
Metage 8 *d.*, and orphan dues 6 *d.*	1	2		
King's duty	6	—		
Discount scorage and factorage		9½		
Entries, stamps, fees and incidental expenses		2⅞		
	8	3½		
			18	2½
Leaving to pay first cost and charge in shipment			11	10¼ p'chald.

And calculated at 25½ cwt. per chaldron, equal to 9 *s.* 3½ *d.* per ton.

Appendix, No. 39.

Appendix, No. 39.

Abstract of Account, Sales, &c.

STATEMENT of the Reduction in Price of COALS at Market; also the Reduction in the first Cost, and the Charges in *London*.

	£.	s.	d.	
Average price of all Coals sold on four market-days in April 1830	1	10	9	p' chaldron.
In addition to which the buyer paid metage and market-dues	—	—	9	
	1	11	6	

	£.	s.	d.	
Equal per ton	1	4	8⅜	
In 1836, average price on four market-days was	—	19	3	
Reduction in price	—	5	5⅜	

Reduction

Appendix, No. 39.

Abstract of Account, Sales, &c.

Reduction in Coals and Charges:	s.	d.	s.	d.
Price of Coals in the North	1	3 6/8		
King's duty and charges	5	1 6/8		
			6	5 4/8
Freight paid in April 1830, per statement, was 9s. 9d. per chaldron, equal to per ton	7	7 6/8		
Ditto April 1836	8	6		
			10 2/8	
			5	5 2/8
Fractions			—	— 1/8
				5 5 3/8
Freight paid in April 1836 was			8	6 per ton.
Reduction in charges paid out of the freight			8 6/8	—
			9	2 6/8
Freight paid in April 1830 was			7	7 6/8
In favour of the Shipowner			1	7

James Bentley.

Appendix, No. 40.

LETTER from Mr. *Bentley* to the Chairman of the Committee.

Appendix, No. 40.

Mr. Bentley to the Chairman.

Sir, Love-lane, Eastcheap, 19 July 1836.

In reply to your letter of this day, I forwarded to your residence this morning the statement of the price of coals at market on four market-days in 1830. Permit me now to observe, on comparing that document with the one delivered in for the present year, it appears in

	£.	s.	d.	
1830, the purchaser paid on those days for coals at market 1 *l.* 10*s.* – 3/4 *d.* per chaldron, equal to	1	3	6 7/8	per ton.
1836 ditto ditto ditto	19	3		—
	4	3 1/8		—

Also that there remained to pay for the first cost and charges at the place of shipment, in

	s.	d.	
1830, 11*s.* 10 1/4 *d.* per chaldron, equal to	9	3 1/2	per ton.
1836, there remained for that purpose	8	6	—
		9 1/2	

I am, Sir, your most obedient servant,
James Bentley.

Appendix, No. 41.

STATEMENT of the Charges on the Prime Cost of Coals in 1830 and in 1836, showing the Reductions or Alterations that have been made in the various Items of Charge from the first period to the last.

Appendix, No. 41.

Price of Chaldron of Coals, 1830.

	s.	d.	£.	s.	d.
Statement of one chaldron of coals in 1830, sold for			£. 1	15	—
To which add metage and market dues, paid by the purchaser					9
			£. 1	15	9
Ingrain allowed to purchaser			1	8	
Charges in London:	s.	d.			
Lord Mayor's dues, – 1/4 *d.* per Newcastle chaldron and groundage 6 *d.*, say		– 1/8			
Market dues		1			
Metage 8*d.*, and orphan dues 6*d.*	1	2			
King's duty	6	–			
Discount and scorage to buyers		6 1/8			
Factorage		4 1/8			
Entries, stamps, fees and incidental expenses		2 7/8			
			8	4 1/4	
				– 10	– 1/4
			£. 1	5	8 3/4

One chaldron in 1830, 1 *l.* 5*s.* 8 3/4 *d.*, equal to, per ton, 1 *l.* 0*s.* 2 1/4 *d.*

Appendix, No. 41.

Price of Chaldron of Coals, 1830.

	£.	s.	d.
One ton of coals sold in 1836	1	1	–
Half metage paid by the buyer	–	–	1½
	£. 1	1	1½

Charges:	s.	d.	s.	d.	£.	s.	d.
City dues	1	1					
Metage 3*d.* (half borne by the ship)	–	1½					
			1	2½			
Tret 1*l.* per cent.	–	2½					
Discount 2*l.* per cent. on two-thirds, and scorage 1*s.* per score	–	4					
			–	6½			
Bill and receipt stamps, and incidental expenses	–	1½					
Factorage	–	3					
Del credere commission 10*s* per cent.	–	1¼					
			–	5¾			
			2	2¾	–	18	10¾

Reduction on the price of coals – – £. – 1 3⅛

Average rate of freight of years, 1818 to 1825, was 10*s.* 4¼*d.*

	s.	d.
From 1826 to 1830, inclusive, was	8	7½
1831 to 1835 ditto	7	11
Reduction in five years	–	8½

	s.	d.
The average freight for the year 1825 was	10	10
Ditto – – ditto – – 1835	7	11¾
Reduction between those two years	2	10¼

	s.	d.
The average freight for the year 1831 was	8	10
Ditto – – ditto – – 1835	7	11¾
Reduction between those two years	–	10¼

Freight paid in April 1830, as per Statement, 9*s.* 9*d.* per Chaldron, equal to 7*s.* 7¾*d.* per Ton.

	s.	d.	
Freight paid in April 1836	8	6	per ton.
And adding thereto the reduction in charges which apply to the freight	–	8¾	—
	9	2¾	—

By which it appears the freight, in April 1836, was 1*s.* 7*d.* per ton in favour of the ship-owner, as compared with 1830.

James Bentley.

Appendix, No. 42.

Appendix, No. 42.

Price of Coals to Chelsea Hospital.

RETURN of the Prices of Coal Purchased by Contract during the last Eight Years, and specifying which description of Coal, as far as the same relates to *Chelsea Hospital.*

1829.	1830.	1831.	1832.	1833.	1834.	1835.	1836.
Bewick's Wallsend.	Bewick's Wallsend.	Hetton's Wallsend.	Stewart's Wallsend.	Stewart's Wallsend.	Stewart's Wallsend.	Stewart's Wallsend.	Stewart's Wallsend.
Per Chald.	*Per Chald.*	*Per Chald.*	*Per Ton.*	*Per Ton.*	*Per Ton.*	*Per Ton.*	*Per Ton.*
30/3	36/	33/4	23/	19/10	19/7	22/3	22/

Royal Hospital, Chelsea, 23 July 1836.

Richard Neave, Secretary.

Appendix, No. 43.

Appendix, No. 43.

Price of Coals to Greenwich Hospital.

AN ACCOUNT of the Prices of Coals Paid at *Greenwich Hospital* in the Years 1828–35, both inclusive.

—	DESCRIPTION.	Year.	Price.	Where Delivered.	REMARKS.
			Per Chaldron. £. s. d.		
Newcastle Coals	Ellison's Wallsend	1828	2 – 8¼	- - -	- - no contract; calculated on the first cost and charges.
	Ditto - -	1829	1 16 7	- - -	
	Hebburn Main - Perkin's Wallsend, or Killingworth -	1830	1 12 11	- - at the cellars.	
	Hebburn Main, or Ellison's Wallsend	1831	1 7 –		
			Per Ton.		
	Hebburn Main -	1832	1 4 3		- - contracted for annually.
	Ditto - -	1833	– 15 11		
	Ditto - - Killingworth, or Bewick's Wallsend	1834	– 14 11	- - at the wharfs, and 3s. per ton porterage, &c.	
	Brown's Wallsend Hebburn Main - Killingworth, or Bewick's Wallsend	1835	– 16 8		

Greenwich Hospital, 22 July 1836.

John A. Lethbridge, Secretary.

Appendix, No. 44.

Appendix, No. 44.

Estimate of Sinking a Colliery.

ESTIMATE of the Expense of Sinking a Colliery, upon a Scale to work 100,000 Newcastle Chaldrons annually from Two Seams of Coal, one lying at 60 and the other at 70 Fathoms below the Surface.

	£.	s.	d.
Expense of sinking a pit 15 feet diameter - - - - -	1,400	–	–
Ditto - - - - - - 12 ft. 6 ditto - - - - -	960	–	–
Brattice for both pits - - - - - - - - -	1,440	–	–
Walling for ditto - - - - - - - - - -	360	–	–
Tubbing for ditto - - - - - - - - - -	5,100	–	–
One pumping engine, including pumps, &c. - - - - -	4,000	–	–
Four coal drawing-engines - - - - - - - -	6,400	–	–
Screens, &c. - - - - - - - - - -	1,200	–	–

(*continued*)

Appendix, No. 44.

Estimate of Sinking a Colliery.

	£.	s.	d.
Underground stock to start the colliery	2,000	–	–
Locomotive engines	2,400	–	–
Coal waggons	6,600	–	–
Workmen's houses	8,000	–	–
Agents' houses, &c.	1,000	–	–
Railway, three quarters of a mile	3,000	–	–
Agencies, incidental charges, &c.	3,000	–	–
Contingencies	3,140	–	–
	£. 50,000	–	–
Of the above there may be in stock, which at the end of the term will be saleable, but it may be reduced one-third in value £. 22,400 – – / 7,400 – –	15,000	–	–
Leaving to be redeemed in 21 years £.	35,000	–	–

£.980 yearly, in 21 years, at 5 per cent., will amount to £. 35,000 – –
and 980 *l.* a year, upon a vend of 75,000 chaldrons of large coals yearly, is 3 ¼ *d.* per chaldron, or 1 ½ *d.* per ton.

June 1836. *Thomas Wood.*

Appendix, No. 46.

Appendix, No. 46.

Mr. Horne's Evidence.

EVIDENCE of Mr. *William Horne*, taken before the Select Committee, June 20, 1836.

Mr. *William Horne*, called in; and Examined.

Chairman.] HAVE you brought from the Coal-meters'-office a Return of the Number of Colliers in the Port of London, discharging and waiting for turns; distinguishing Monday from other days of the week, in each of the years 1834 and 1835?—Yes, I deliver in this document, marked No. 1.

[*The Witness handed it in, which is as follows:*]

Appendix, No. 47.

Appendix, No. 47.

A RETURN of the NUMBER OF COLLIERS in the Port of *London*, Discharging, and Waiting for Turns; distinguishing the one from the other, on Monday in each Week, during the Years 1834 and 1835; delivered by the Coal-Weighers' Office.

Week ending Monday.	Ships waiting for Meters.	Meters unemployed.	Ships at Work.	Week ending Monday.	Ships waiting for Meters.	Meters unemployed.	Ships at Work.
1834:				1834:			
January 6	1	none	150	July 7	none	66	84
13	none	25	125	14	none	57	93
20	none	98	52	21	none	48	102
27	none	110	40	28	none	64	86
February 3	none	16	134	August 4	none	30	120
10	none	72	78	11	none	42	108
17	none	88	62	18	none	8	142
24	18	none	150	25	none	16	134
March 3	none	9	141	Sept. 1	none	24	126
10	3	none	150	8	none	16	134
17	none	19	131	15	none	35	115
24	none	19	131	22	none	4	146
31	none	72	78	29	none	23	127
April 7	none	44	106	October 6	none	23	127
14	none	40	110	13	none	45	105
21	none	131	19	20	none	none	150
28	none	60	90	27	20	none	150
May 5	none	42	108	Nov. 3	18	none	150
12	none	90	60	10	none	16	134
19	none	40	110	17	none	none	150
26	none	53	97	24	8	none	150
June 2	none	70	80	Dec. 1	none	1	149
9	none	98	52	8	none	37	113
16	none	93	57	15	none	none	150
23	none	73	77	22	none	34	116
30	none	57	93	29	4	none	150

Have

Have you a Weekly Return?—Yes.

[*The Witness handed in the same, which is as follows:*]

Appendix, No. 48.

Appendix, No. 48.

Week ending Monday.	Ships waiting for Meters.	Meters unemployed.	Ships at Work.	Week ending Monday.	Ships waiting for Meters.	Meters unemployed.	Ships at Work.
1835:				1835:			
January 5	none	20	130	July 6	none	55	95
12	6	none	150	13	none	43	107
19	none	52	98	20	none	44	106
26	none	12	138	27	none	41	109
February 2	none	37	113	August 3	none	50	100
9	none	22	128	10	none	36	114
16	none	26	124	17	none	37	113
23	none	26	124	24	none	45	105
March 2	none	6	144	31	none	47	103
9	none	5	145	Sept. 7	none	49	101
16	none	15	135	14	none	46	104
23	none	23	127	21	none	10	140
30	none	6	144	28	none	15	135
April 6	none	28	122	October 5	13	none	150
13	none	46	104	12	17	none	150
20	none	56	94	19	54	none	150
27	none	18	132	26	77	none	150
May 4	none	25	125	Nov. 2	55	none	150
11	none	19	131	9	92	none	150
18	none	56	94	16	98	none	150
25	none	72	76	23	57	none	150
June 1	none	62	88	30	26	none	150
8	none	65	85	Dec. 7	none	6	144
15	none	55	95	14	26	none	150
22	none	50	100	21	51	none	150
29	none	47	103	28	111	none	150

Have you a return of the number of ships waiting on each market day?—Yes.

[*The Witness handed in the same, which is as follows:*]

Appendix, No. 49.

Appendix, No. 49.

A RETURN of the NUMBER of SHIPS waiting for Meters on each Market-day, from 1st January 1836 to 18th June 1836.

January	1	79	Feb.	26	none.	April	22	none.	May	16	none.
	4	83		29	none.		25	none.		18	none.
	6	62	March	2	none.		27	none.		20	none.
	8	40		4	none.		29	none.		23	none.
	11	22		7	none.	May	2	none.		25	none.
	13	16		9	none.		4	3		27	none.
	15	12		11	none.		6	10		30	none.
	18	none.		14	none.		9	none.	June	1	none.
	20	none.		16	none.		11	none.		3	none.
	22	none.		18	none.		13	none.		6	none.
	25	none.		21	none.		16	none.		8	none.
	27	none.		23	none.		18	none.		10	none.
	29	none.		25	none		20	none.		13	none.
Feb.	1	none.		28	none		23	none.		15	none.
	3	none.		30	none		25	none.		17	none.
	5	none.	April	1	Good Friday.		27	none.			
	8	none.		4	none.		30	none.			
	10	none.		6	none.	June	1	none.			
	12	none.		8	1		3	none.			
	15	none.		11	10		6	none.			
	17	none.		13	none.		8	none.			
	19	2		15	7		10	none.			
	22	7		18	10		13	none.			
	24	2		20	none.		15	none.			

Are these made up from the official papers in the office?—They are made from the books in the office.

Appendix, No. 50.

EXTRACT from MINUTES OF EVIDENCE taken before the Committee on *Durham South-West Junction Railway Bill*, 4 May 1836.

Mr. *Thomas Fenwick*, called in, and Examined by Mr. *Alexander*, as follows:

Appendix, No. 50.
Evidence of Mr. Thos. Fenwick, 4 May 1836.

I BELIEVE you live at Dipton in the county of Durham?—I do.

Have you been employed as a coal-viewer for a great number of years?—Above 54 years.

I believe you are coal-viewer for the Bishop of Durham?—I am.

And the Dean and Chapter?—I am.

And the Marquis of Bute and Mr. Davison?—I am.

Sir John Swinborne?—I am.

All of whom have coal in that district?—Most of them; the Bishop of Durham, and the Dean and Chapter have.

Are the others extensive coal-owners?—Not very extensive.

Have you known the Auckland coal district for a number of years?—Yes, it is 28 years, I think, since I came there under the Bishop of Durham.

Can you tell the Committee how many square miles of coal there are in the Auckland district?—Yes, I have accounted for 64 miles, though there are more than those acres.

Sixty-four square miles?—Yes.

Will you tell me what you mean by having accounted for 64?—I have divided the tract here into three distinct tracts.

Have you a map of the district before you?—Yes.

Have you divided that district into three different portions?—Three different portions.

Are those portions coloured red, yellow, and blue?—They are.

Will you explain what that district is which you have coloured red?—It is the district which I suppose will go upon this contemplated railway.

That is the district which you suppose will work by the contemplated railway?—Yes.

You mean by that they will send down its coal?—The railway passes through it.

What is the extent of that portion through which the intended railway will pass, and which will send down its coal by it?—Sixteen square miles, but I deduct three as being gotten, making 13 workable.

[Mr *Pollock* applied for an order directing the clerk of the peace of the county of Durham to attend the Committee, and produce any plans and books of reference relating to the Clarence Railway. Mr. *Alexander* was heard against the application. Mr. *Pollock* was heard in reply. The *Chairman* informed Mr. *Pollock* that the order for the attendance of the witness was made.]

(By Mr. *Alexander*.)—You have just stated that the portion of the plan coloured red, consists of that part of the coal district through which the projected railroad will pass, and which, in your judgment, will send down its coal by the projected line?—Yes.

And I understand you to say that that extends over 16 square miles, of which three square miles you deduct as having been already gotten?—Yes, making 13.

Are you able to state what collieries are now actually at work in that red portion?—Yes, I think I am.

Here is the Deanery; how many of those?—One pit; but I can probably inform you better from my memorandum here: when I first examined this coal district, 26 years ago, I can name the number of collieries that were then at work, and what are now working.

We will shorten your labour—I propose to ask you first as to the number of working pits in that district, next as to the new winnings in contra-distinction to the old collieries; and then as to the anticipated winnings. Now we will take, if you please, the working pits first?—In this red plan, do you mean?

Yes, first of all take the red portion of the plan?—Black Boy.

How many are there of the Black Boy?—There is only one pit that I have an account of.

(By the *Committee*.)—Can you put upon this plan any cross railroads which are connected with the Stockton and Darlington Railroad upon this district?—I do not know that I am able to do that correctly.

(By Mr. *Alexander*.)—I am now directing your attention exclusively to that portion of the plan that is coloured red?—Yes.

Are you enabled to state to the Committee the number of collieries actually at work in that red portion?—I think I am.

Will you be good enough to enumerate them?—St. Helen's, Auckland.

How many there?—Two working pits there: Black Boy.

How many working pits there?—I have only one there.

Is that a land sale pit?—No, a sea sale pit.

Is there a land sale pit there?—They are all part land sale as well as sea sale.

Can you speak to any other except the one Black Boy pit?—No, I do not know of any more than one pit.

Name any others?—The Deanery.

How many there?—One: Eldon.

How many?—Two: Coundon.

How many?—One. I think these are the principal.

Have

Have you made out a list for your own guidance?—I have.

Probably you can tell me?—I can tell you the working pits when I first examined the tract 28 years ago, what are now working, and which are in contemplation of working; 28 years ago there was Etherley, Railyfell.

How many of each?—I think one pit of each. They were only at that time land sales. The railway was not at that time made. Black Boy.

More than one?—No, I think not; West Auckland, Butterknowle, Cockfield-Fell, these were all in working when I first went there 28 years ago; land sales, not sea sales.

In what district are those you have been just enumerating?—In both these two districts, both in the East Auckland and the West.

Both the red and the blue?—Yes.

The yellow forms the remaining portion?—Yes.

Are those pits you have just been enumerating comprised within the red and blue portions of the map before you?—They are.

Now will you state what old collieries there are now in that same portion?—I can tell you; this I have already named, and those which have been added to them are—

Are those still existing?—They are, and these are in addition.

State the additional collieries?—There are two pits at St. Helen's added.

(By the *Committee.*)—This is in the red district?—The red and the blue: Eldon, two pits; Norwood and Gordon Gill are now making; Lands, the Deanery and Chilton, these are now in work.

How many are there in number?—There will be about 13, I think.

Does that include the old collieries?—It does.

There are 13 altogether working in the red and blue district?—In the red and blue district now running.

What new winnings are there in the red and blue district?—There is another Deanery, Mr. Pease and Brown; there is Woodhouse Close, Mr. Flintoft, of Evenwood and Leasingthorne.

How many at Leasingthorne?—Only one; those last ones are not working, they are only preparing.

Where is Leasingthorne?—It is not far from Merrington.

It is a little to the north of the projected line?—It is.

To the north of Windlestone?—It is.

Is there any new winning at Coundon that you are aware of?—There is one contemplated at Howlish.

Is there a new winning at Coundon?—I suppose Howlish and Coundon are the same names.

Is there a new winning there?—It is contemplated; Merrington and Middleston and Westerton are also contemplated.

Can you add any others to the names of the new winnings you have already given?—No, I think not.

How many new winnings are there?—Four, I think.

Now will you state to the Committee what contemplated winnings are in that same district of red and blue?—There is Howlish, it may be called Coundon; Middleston, Merrington and Westerton are also contemplated.

How many are those?—There are three different districts; but they have not yet broken ground.

Will you give the Committee a reason for saying there are those contemplated winnings?—Because I have been applied to to let them.

That is your judgment as to their being actually won provided by the projected mode of carrying off the coals?—I dare say they will be worked. There is a new contemplated winning at Etherley, called the Bitchburn.

Do the projected winnings you have mentioned belong to the Dean and Chapter, or any part of them?—Principally to the Bishop.

Then have you been applied to on the subject as being the Bishop's valuer?—Middleston and Merrington belong to the Dean and Chapter.

Then in the applications that have been made to you, have you been treated as being the coal-valuer of the Bishop and the Dean and Chapter?—I have.

I asked you before what was the extent in square miles of the coal portion coloured red; I wish now to know what is the extent in square miles of the coal portion coloured blue?—The red is 16 miles, minus three.

Now the blue, if you please?—It is 27, minus 10, leaving 17.

Seventeen square miles in the blue portion?—In the blue portion.

What is your judgment as to the coals in the blue portion being sent down the projected railway?—It will depend upon the prices at which they can get to the places of shipment.

Will the projected railway afford facilities to the coal proprietors?—Yes, it will depend on whether they can get them cheaper to the place of shipment by means of the railway.

How many miles do you say there are in the blue portion?—Seventeen workable; 27, minus 10, leaving 17.

Supposing the projected railway to be made, will it afford facilities to convey away the coal got within the whole 17 miles?—I think it might; I should think it would.

I am speaking as to the locality; could the coals be bodily taken down the projected railway if it passed through that part?—I think they might; there is no inequality of ground that would be fatal to the coal being carried that way. I think not.

Now I will turn your attention to the yellow portion; can you give us any information as to the

Appendix, No. 50.

Evidence of Mr. Thos. Fenwick, 4 May 1836.

the coal-pits there, whether the coal there will be taken down the projected line?—A part of it might, and I dare say the whole.

I wish to have your judgment?—A part may; it borders on the Bitchburn Beck.

What part do you suppose might be taken down?—What? I really do not know; I cannot answer the question. It depends upon the surface a good deal in running down to the railway.

Are you able to say that at all events some part will?—I think some part will; I think so.

Do you recollect the commencement of the exportation of coal from that district?—Yes, I have been informed of the export, 176,000 chaldrons.

I am not asking you as to the quantity; I want to know whether you can tell me whether, since coal has been exported from that district, there has been a great increase in the quantity of coal raised?—A great increase; I cannot say in what proportion, but considerable.

There has been an increase?—Yes.

Are you able to give the Committee an estimate of the quantity of coal that might be furnished by the three portions that you have marked upon your plan, supposing increased facilities to be afforded?—On the 13 miles coloured red I consider there will be 23,859,542 chaldrons.

What do you say of that 23,000,000; is that coal of a good quality?—I consider it is so; I have seen a great deal of it myself.

Have you had experience in that particular sort of coal?—One of the seams in particular is very good.

Is it what you should say, as a coal-viewer, is very good coal, or very indifferent?—I should call it rather good than otherwise.

Do I understand you that the numbers which you have just given us represent the quantity of coal that might be raised out of that district, altogether out of the red district?—Out of the red district only, in Newcastle chaldrons.

Now will you state what quantity of coal you think might be raised from the district coloured blue?—31,200,939 chaldrons.

Will you state what quantity of coal might be raised in the third district?—The yellow?

Yes?—The same quantity as the blue.

(By the *Committee.*)—These are all Newcastle chaldrons?—Yes.

The double chaldron?—Yes.

(By Mr. *Alexander.*)—Probably you can tell us, being the valuer for the Bishop, whether, with regard to the coal that is under his earth, there is not always a way-leave reserved for the Bishop?—Always.

And so with the Dean and Chapter?—Yes.

What is your judgment of the probability of a great increase of coal to the market, provided the facilities afforded by the projected railway are given?—I should think it would be increased.

In the proportions that you have mentioned; to the extent you have mentioned?—I do not know the extent exactly; but there will be an increase, to what extent I am not prepared to say.

Do you know what the amount of the present vend is?—I think about 170,000 chaldrons.

Newcastle chaldrons?—Yes.

And from what part is it coming, from the whole that lies before you?—From the red and blue.

The present vend from the red and blue is the number you have stated?—Yes.

My question to you was, whether you know the amount of the present vend from the red and blue district?—I have got it since I came here, 170,000 chaldrons.

Is that for export and land sale?—Only for export; it does not include the land sale at all.

Do you know what the vend is for land sale for those two portions?—I do not know exactly, but I should think it would not exceed 30,000 chaldrons.

(By the *Committee.*)—Is this the quantity that has been vended in any one year from this district?—What has been vended. I suppose it is rather more than that.

(By Mr. *Alexander.*)—Is that the limit of the vend there?—Yes.

Explain what the meaning of the limit of the vend is?—I believe that the Auckland district is allowed that quantity.

Allowed by whom?—By the coal trade.

Do I understand you to say that the limit of the vend means a restriction on the sale of goods imposed by the coal trade?—I rather think it may; I think that every ship that comes is sold.

Let us understand you distinctly before we go farther. Do I understand you to say there is a certain quantity beyond which the coal trade will not allow coals to be sold?—I do not wish to say that, because on an application being made they may be allowed to sell more.

Without such an application they would not?—I suppose they would not.

You live in that part of the country, and are intimately conversant with coal concerns?—I have been, but I am now getting old, unfortunately.

How is it that the restriction upon the vend of the coals is composed; by what powers?—I suppose by a general agreement among the coal-owners; there is no other way that I know of.

Is a committee appointed for the purpose of managing this restriction upon coals?—I believe there is.

I presume you have not been 55 years a coal-valuer without knowing something about the way in which the coal-trade has been carried on?—I have been more concerned in the absolute working and raising of coals than any other thing.

Do you know in what proportions the coal-owners are allowed to sell, as compared with what

what they are able to get, if there were no restrictions?—I do not know that; I can inform you what this district is allowed.

What is the whole of that district restricted to selling?—176,000 chaldrons.

(By Mr. *Milner*.)—Who gave you that paper from which you are speaking?—I got it from the coal trade.

What particular person gave it you?—(*No answer*.)

Where did you get it from?—From the coal-trade office in Newcastle.

Who gave it you?—I cannot tell, but I got it there.

When did you get it there?—A few days ago, since I came to London.

Do you know anything of this of your own knowledge at all?—No; I know there is a restriction.

(By the *Committee*.)—Do you know of your own knowledge that there is a limited vend of coals?—Yes; but I do not know the particulars.

(By Mr. *Milner*.)—Do you know anything of your own knowledge of the proportions at all?—No, not until I got this document.

And who did you get it from?—From the clerk at the coal-trade office.

What is his name, do you know?—Gill.

Is he here?—No, I dare say not.

Is he in London?—No, I dare say not; I do not know; I have not seen him.

You never saw him?—Not in London.

You say you got it three days ago; did you get it at Newcastle?—No, I got it here three or four days ago from Newcastle.

That piece of paper was sent to you from Newcastle three or four days ago?—Yes; I wanted to know the basis.

And you have not brought Mr. Gill here?—No; I did not think there was any necessity for it.

(By Mr. *Alexander*.)—Are you coal-agent to the Marquis of Bute?—I am.

Is he a member of the association you have been just speaking about?—He is.

Are you, as his agent, conversant with the affairs of the association?—No; I do not attend to those things now.

Give me leave to look at that paper.—(*The paper was handed in to Mr Alexander*.)

Are you able, from your knowledge of the Coal Association, to state what the proportions are of the vend between Tyne, Wear and Tees?—No, I cannot.

Are you able, from your knowledge of the association, derived from your being agent to Lord Bute, one of its members, to state what the proportions of restrictions are upon the vend in this district, the Auckland district?—That is the paper I have got.

Have you any other means of information than this paper?—No, I have not.

Have you of late years been aware of the prices of coals?—I have seen them sometimes; every week I have seen them.

As a matter of business you see the prices of coals?—I do not do much in that way now; I am too old.

Seeing every week, or nearly so, the prices of coals, can you tell me what has been the average price of coals in your district, during the last two years, for example?—I think I ought.

Can you tell me what has been the general price of coals in the London market during that time?—I have not particularly attended to it, for I only supposed I should come to speak to the coal field alone.

Are you not able, from your knowledge of the coal-trade, to give in the most distant notion of what the price of coal has been in the London market during the last year or two?—I know very well what the Marquis of Bute sold his coals for; from 18*s*. to 19*s*.

For what?—A chaldron.

A Newcastle chaldron?—Yes.

Is that upon the Tyne?—Yes.

Have you any means of knowing what the coals have been sold for on the Tees?—No.

Or on the Wear?—No; I think possibly from 18*s*. to 1*l*.

What is your reason for supposing that?—I think, comparing the Marquis of Bute's coals and the Wear, that would be about it.

What is your judgment as to the price of coals upon the Tees during the last year or two?—I thought I was answering that question just now.

You supposed I was asking you as to the Tees?—Yes.

I will now ask you as to the Wear?—The Wear, Lord Londonderry's, will be 1*l*. 4*s*. or 1*l*. 5*s*., or more, I suppose.

Tell me the meaning of the word "suppose" in the north of England?—I have no direct knowledge of it, for I do not pay much attention to these things now; I do not go much into the coal-mines now at my age; I am in the evening of life.

You have mentioned a restriction on coals; do you remember the time when the restriction was taken off for a short period?—Yes.

What was the effect of the restriction being taken off?—That those who had been restricted thought they could vend more, but I think they found their mistake, some of them.

Were you a person who suffered by the mistake?—We did a little; I mean the Marquis of Bute.

You say some of them suffered by the mistake, but some benefited by it?—No doubt.

Probably you cannot tell me the proportion between those who benefited and those who suffered?—No, I cannot.

What do you mean by benefiting by it?—Some thought they could have sold more if there had been no restriction, and got a better price.

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And they were mistaken?—They were mistaken.

Those who were more fortunate did get a better price?—Upon my word I cannot say now.

(By the *Committee.*)—If they did, it was in consequence of raising the price of coals to the consumers?—No doubt.

(By Mr. *Alexander.*)—Which, probably, would be from people being better able to bring coals than they were before?—I really cannot tell the cause.

Explain the answer you gave to an Honourable Member of the Committee, that coals were higher when the restriction was taken off, and yet some people lost by it?—I do not know that I said coals were higher.

When the restriction was taken off, I understood you to say that some people suffered and some people benefited, and you cannot say the proportions?—It might not be from getting a higher price, but from selling more coals.

What is it you mean by saying that some were benefited by it?—Those who sold more coals.

Then those who were benefited by it were those who sold more coals in consequence of the restriction being taken off?—So I should presume.

Now who were those who suffered by it?—Those that did not sell so many as they could have sold.

Suppose a person to have expected to sell inferior coal when better coal was brought into the market, would he be a likely person to have suffered on that occasion?—I do not know; inferior coals are very much wanted now in the manufactories.

I want to know what was the effect then?—I was a more practical man at that time than since: I did not attend so particularly to it then.

Will you tell me what is the vend of the present year of Lord Bute's colliery, over which you are receiver?—About 20,000 chaldrons.

Is that the full extent which his collieries are able to supply?—No; we could work more, I dare say.

You say, you dare say; do tell me if you have any doubt about it, whether Lord Bute's collieries could produce more coal?—Yes, they could.

A great deal more?—No.

Give me the proportion?—I cannot tell you the ratio; probably 10,000 chaldrons more; 5,000 or 10,000 chaldrons more; I really cannot say.

They might produce that quantity more than they are allowed to produce under the restriction?—I know they have the means of doing so.

They have the means of doing that?—Yes.

Suppose the collieries to be worked to the extent you suppose probable, in the event of increased facilities being given to the Auckland district, would the Stockton and Darlington Railway be able to take down those coals?—That depends much on the inclined plane. I should think not, though I never saw it, but I know some people have complained that they could not get their waggons from the pit to the place of shipment.

Even with the present vend of coals from the Auckland district, I understand you to say some have complained?—Yes, they have.

(By the *Committee.*)—You do not know the cause of complaint?—No, I do not know; but I thought it must be the power of the engine not being sufficient, but that could be soon increased.

Cross-examined by Mr. *Milner.*

How long have you been valuer to the Bishop and Dean and Chapter?—Twenty-eight years to the Bishop, and about 20 to the Dean and Chapter.

I believe they have been in the habit of granting leases?—Yes.

And are now?—Yes.

Does this line affect the Dean and Chapter?—I do not know, but it may.

Do you not happen to know that they dissent from this Bill?—I do.

I think you told my friend you do not know the line yourself personally of the Stockton and Darlington Railway?—I never attended to it, but I have been on it.

Do you know the line of the Clarence?—I have been on it, and I have seen it, but not to examine it; it is quite out of my line.

But look at the blue part of your own plan: I think, if I see right, the proposed line comes but a very small point indeed into the blue point which you have been speaking of?—Yes.

Just at the corner of it?—Yes.

Now the Stockton and Darlington runs straight through that blue line, and there is a branch that runs right up to the centre of it?—Yes, up to Etherley.

And another which runs straight across it?—Yes.

So that there are two branches of the Stockton and Darlington going through your blue point?—Yes.

Do you suppose, that with the facilities they have with the two branches of the Stockton and Darlington, much traffic will go on the new line out of this blue part?—It totally depends on the prices they can get them to the place of shipment at.

Do you know the state in which the Stockton and Darlington is?—No.

You do not know their respective states of credit?—I do not; I have heard it.

You cannot give a notion whether the Stockton and Darlington are able to carry so cheap as this?—It would be a matter of pounds, shillings and pence.

Apart from the pounds, shillings and pence, have not the Stockton and Darlington a vast greater convenience for the shipment of coal from that blue point than the other can have?—I do not know.

Taking a fair inspection from your own plan, do not the two lines you speak of afford them much greater facilities than the new branch can?—I do not see that it will.

These

These are the two branches of the Stockton and Darlington; I should think they would scarcely turn out of their way to go on another?—I have been told since I have been here, that some collieries (*pointing to the plan*) will go by the proposed railway, but how far they will adopt it I do not know.

The Dean and Chapter, you say, are opposed to this; do you know Sir George Musgrave?—Yes.

And Sir Robert Eden; do you know their properties?—I have seen them.

Is that in the red part?—I really do not know at all; for I do not mind whose property it is, if it is but the coal-field.

Are not Sir Robert Eden's and Sir George Musgrave's within your red square of 13 miles?—I believe they are.

I believe they have way-leaves too?—Yes, Sir George Musgrave has; I do not know whether Sir Robert Eden has or not.

The Marquis of Bute's is on the Tyne?—Yes.

So that you know better the localities on the Tyne than in these other places?—I have been more accustomed to them.

With respect to the Marquis of Bute's coal, and the coal in this district, which do you think is the better?—I think this is the better.

Better than the Marquis of Bute's?—No; this (*pointing it out on the plan*).

Which is that?—These red and blue, I think, are better than the Marquis's for chamber purposes.

General ones, I mean?—I take it altogether; I think this a better.

Not so good as Lord Londonderry's?—I think not.

I want to know, if you will be kind enough to tell me, whether the whole of your yellow part is north of the Wear?—Not all.

Is it, in your judgment, practicable to bring any coal that lies to the north of the Wear down this projected railway?—I presume it is, down by this rivulet of Bitchburn. It will naturally run down into this projected railway.

How are you to get across the Wear?—By a bridge.

Then the collieries must build bridges across the Wear?—That they do frequently.

Instead of building bridges across the Wear, there is a new line, we understand, which is called the South Durham Railway, which is laid down on your plan here?—Yes, I believe it is.

Would not that be rather a pleasanter road, do you think?—I do not know; I rather think they would have to pull the coals up an inclined plane; they would require engine power to do that.

Can you tell how far the inclination goes from the Wear?—No, I cannot, I am only speaking generally.

Now the river Wear is between them and this projected line?—I do not think that is of much consequence.

What is the width of it there?—I do not know; I have seen it a hundred times.

Cannot you give a notion?—I should think 40 yards, but when I say that I do not know that item, speaking correctly.

Do you consider that an obstacle to a colliery taking coal to that new railway?—It is an obstacle, but not an obstacle that is insurmountable; far from it.

Can you give us the elevation of this proposed line above the Wear?—I know nothing about it.

Is it not 100 feet above the level of the Wear that they must climb up an inclined plane?—I know nothing about it; it may be two, for anything that I know.

You have told us that the limit to the vend of coal was taken off some time ago; can you tell the Committee whether the vend was increased at that time?—I cannot say.

Though one colliery might get a little more than another, or a little less, can you tell whether the vend was larger on the whole or not?—I cannot; for when I came here I did not know what I was come about.

Did it not cause almost ruin and desolation in that part of the country when the vend was taken off?—No.

Did it not cause a great deal of loss and trouble?—No, I cannot recollect that it did; there was grumbling amongst those that suffered, and I dare say there was pleasure with those who benefited.

You cannot tell whether the vend was increased or not?—I think it was.

You were concerned as between the Stanhope Railway and the Dean and Chapter, or the Bishop?—In what way?

As their agent with respect to the way-leaves?—Yes.

Does the Stanhope Railway pay to the Bishop for the way-leaves?—To the Dean and Chapter.

The Stanhope Railway pays them?—Yes.

Do you not think it just as reasonable that Sir George Musgrave and Sir Robert Eden, if they have any, should be paid way-leaves by this company?—I dare say they would wish it.

Do you not think it as reasonable as that the Stanhope should pay to the Dean and Chapter?—I cannot say anything to the contrary.

I dare say you cannot tell us what the way-leaves are worth?—To whom?

To the Dean and Chapter; how much do the Stanhope pay you?—200 *l.* a year per mile.

For every mile?—For every mile.

How many miles are there?—I think from four to five miles.

Then the Stanhope Railway will pay about 1,000 *l.* a year to the Dean and Chapter?—I dare say they will.

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Besides some other little advantages?—No, they will not pay 1,000 *l.* a year.

If it is five miles, it would just cost 1,000 *l.* a year?—Yes, but it is not quite as much, I think. I think it may be four miles.

That would be 800 *l.* a year, besides other matters?—Yes.

Examined by the *Committee*.

Is Leasingthorne Dean and Chapter or freehold?—Dean and Chapter.

Is Merrington Dean and Chapter or freehold?—Dean and Chapter.

Is there any difficulty in those parties laying a way for the Clarence and Chilton branch?—I think not.

How can any coal from this district possibly come on this new line of railroad?—Leasingthorne can come very readily down by Mr. Mason's.

Is that any part of this proposed line?—No. Yes, it is part, for it commences at Mr. Mason's, this proposed line, I presume.

If it commenced at Mr. Mason's pit it would not come on to this line at all?—No, but it would come on this line before it goes to Mr. Mason's.

If this new line commences two miles beyond Mr. Mason's, how will it do then? To the west?—Yes. No, it would not.

Does not the Chilton branch pass one or two miles to the west?—I do not know that it is to that extent.

If it is, they would not come at all?—No.

Do you know who the Howlish and Coundon coal belongs to?—The Howlish belongs to Mr. Walker.

Do you know who it is leased to?—Yes.

Who?—Mr. Backhouse.

Has he the Black Boy pit?—Yes.

Is not that coal won by that pit?—It may or may not.

You do not know it?—No.

Does the Stockton and Darlington Railroad run up to Mr. Backhouse's pit's mouth?—I dare say it does.

Is there any part of this district which has not a railroad communication?—No.

Have you ever heard the coal-owners state that they could not get the vend shipped?—Yes.

And that they fell short of their quantity in the year?—I do not know, but I have heard them complain that they could not get their empty waggon back quick enough.

Do you know the extent from Butterknowl to Middlesborough?—Twenty-five or 26 miles I presume.

Do you not think it is nearer 40 miles?—It may be.

Just think for a moment?—I do not know that I should be any wiser for thinking.

Does it come within your knowledge that on account of winds the waggons often stand full for a week at least?—I do not know.

Are you never detained at your colliery for want of ships?—We deposit our coal at the river side.

If you had not these deposits, could you get on?—No, there would be delay.

The waggons would be delayed for days?—I do not know the length of time, but there would be delay.

You do not know that all the coals offered to the railway company have been carried down?—I do not know to the contrary.

There is a railroad communication through the whole district?—Yes.

I think you stated the distance by the Stockton and Darlington Railway; do you know what is the distance from the point close by the West Auckland by the Stockton and Darlington Railway?—I believe it will be nearly 30 miles; I think so.

Between 20 and 30 miles?—I do not speak from any knowledge of my own.

Do you know what the distance will be by the proposed railway and Clarence Railway; what will be the distance from West Auckland by the proposed railroad and Clarence Rail road?—Twenty-three miles.

Do you speak to that of your own knowledge?—No.

Are you aware that it will be shorter than by the Stockton and Darlington?—I have been informed so, and believe it is so.

Suppose the dues to be equal on the two lines, do you suppose these coal-owners would send their coals down the longer line or the shorter?—The shorter.

They would prefer the shorter?—I think so; it depends on how the place of shipment is.

Are you able to speak as to the respective merits of the two places of shipment?—No.

All you mean to say is, that the public will send their coal by that line which carries them at the lowest rate?—I should think so; I should do so myself.

Do you know anything of the Clarence Railway?—I have been on it.

You know it very well?—I did not say very well.

Did you not once make a report upon it?—I did, but it was not at that time finished.

You have not visited it lately?—No; I have been on a part of it for a mile or two.

You are not aware of the state of the Clarence Railway at this moment?—No; but when I saw it I thought it as perfect a line of railway as ever I saw, and I think that was my report.

Is the coal in the coal-field, from which this proposed railway is to proceed, of the best, or second, or third quality?—One of the seams is of the best quality, and the other inferior.

Do you think that first-rate seam would hold its price in the London market in comparison with the best coal of the Tyne and Wear?—I think it would, although it might not be equal to the Black Boy coal, which fetches one of the best prices in the London market, and that is in this district.

Do you know the extent of Lord Durham's coal-field in North Durham?—I have been over it at various times. I do not know how many thousand acres it is. I do not speak to it now.

Do you doubt that he has as much as half of the whole of this district?—I think he may, nearly so.

Is not that coal of the very first quality known to exist?—Some of it.

The great majority?—I do not know that; the Hutton seam.

Is any of that coal six miles from the place of shipment?—No, I should think not.

Do you conceive that this district can compete with that noblemen under the circumstances of an unrestricted vend?—I would not say that they could.

You are not sure?—For his Lordship's collieries are very much infested with inflammable air. These are completely clear of it; they are at easy depths, and I conceive they would contend very much with his Lordship's collieries.

Is that the result of knowledge or of supposition?—Supposition.

Do you think that Lord Durham's coal now sells at the lowest price that it can be sold at, taking the cost of production into consideration?—I really do not know that.

Do you think if other coal were to come into the market it would tend to reduce the price of Lord Durham's coals?—He has coal of various kinds; he may mix his inferior coal with his superior coal, and by doing that his price may be less.

If I understand you, you are extensively connected with that coal district; have you any reason to suppose that Lord Durham's coal is now selling at a higher price than is a fair remuneration?—I think not.

You know the coal-trade well in the north; do you think, from all you know of the vast risk, and all the expenses attendant on sinking shafts and working mines, and all the expenses of the coal trade as it stands at this moment, that the coal proprietors receive more than an ordinary rate of profit?—I think not.

Supposing this restriction were taken off, and as much coal as could possibly be sent to London was allowed to be sent, would not the price of that coal be regulated by the demand in the London market?—Certainly.

Then, I presume, the price of coal would be regulated by the supply being sent so as to give the coal proprietors the ordinary rate of profit?—I should conceive it would have some influence upon it, certainly.

Are you aware of the different ingredients which enter into the price of coal in London; will you state to this Committee how much of the price of coals, as sold to the consumer, is that which is paid to the coal-owner, and that which is paid for freight, and that which is paid for the port of London charges?—I have no knowledge of that.

You know generally pretty well what is the price of coals in the north?—Yes.

You know also what the price of coals is in the London market?—Yes, I see it.

Is the price of coal in the London market decreased in proportion to the decrease in the price of coal in the north of England?—I think not.

Do you think that, if (for instance) you have an open trade, and the price of coal at the place of shipment is 2*s.* a chaldron less than it would be when there is a restricted vend, the London consumer would get it 2*s.* a chaldron cheaper?—I do not know that.

But does not your own observation tell you?—It is a part of the coal trade department which I never inquire into; mine is only getting the coal and raising it to the surface.

Will you state to the Committee the difference of expense to the coal proprietor who brings his coal to the place of shipment by private way-leave rent, and to the coal proprietor who brings his coal to the place of shipment by a railway existing by public Act; is it not much dearer to the coal proprietor who brings his coal by the private way-leave?—I should think so.

Do you remember, when first the Stockton and Darlington Railway came into operation, whether there were any meetings on the part of the coal-owners further north, to endeavour to keep down the price of coal, in order to prevent any profit accruing to the Stockton and Darlington Railway?—There was, I believe, a petition sent to the House when they were soliciting the Bill.

Did you hear of anything like a contribution on the part of the coal-owners in the north to keep down the price of coal, in order to prevent any appearance of profit to the Stockton and Darlington?—No, I did not.

Are you not aware that the same quantity of the best Wear coal, for which the consumer in London is at this moment paying 1*l.* 12*s.*, is sold in the north for 11*s.*?—Yes.

Does the price of coal to the consumer in London in anywise depend on the expense of railway transit, as between the pit and port?—No, I should think not.

A coal-owner who sends his coal down by private railways is not forced by Act of Parliament to send it down by those railways; it is merely a matter of agreement, is it not?—Certainly; I presume so; he may go which way he pleases.

There is no obligation to send it by railway?—No, not that I know of.

Is not the price in the market of consumption generally in some degree correspondent with the price at the pit's mouth?—Not always.

Can you explain the reason why it should not be so?—A good deal depends upon the demand in London. The price at the pit's mouth is always the same in point of raising it to the surface.

Do you attribute the fact of the price not lowering in London to the fact of the supply of coal being in a few hands?—I should think, if the supply of coal was in a few hands, it would be apt to be higher than if it was in the hands of many.

Do you recollect the time when there was no restriction?—Yes.

Was there more coal sold in the aggregate when there was no restriction than when the restriction was put on?—I think once; I know there was.

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Evidence of Mr. Thos. Fenwick, 4 May 1836.

Do you think that permanently, if there were to be no restriction, there would be more coal sold in the aggregate than is now sold?—I do not know how to answer that question correctly.

Do you not think there are more coals in the London market than can be sold even now with the restriction?—I do not know; very often when I see the returns I find they all get sold

I think you said that, taking all the risks and all the expenses attendant on working mines, the coal proprietors in the north do not receive more than the ordinary fair rate of profit?—I believe, taking it altogether, they do not get five per cent. for their money.

The question I am now going to put will have reference to the Newcastle chaldron. Has not the price of the best Tyne coals, within these few years, at the port of shipment (Shields), fallen 9 *s.*, so that coal which was formerly sold at 1 *l.* 14 *s.* is now selling at 1 *l.* 5 *s.*?—Yes.

What was the cause of that fall in price?—I do not know; I presume that when the coals were sold at that price they wanted more profit.

Has the fall taken place in London in the same ratio as at the pit's mouth?—I think not.

Has the fall taken place to any extent in London?—I cannot answer that question.

Are you not aware that in the year 1818 Bewick's Wallsend coals, which are the best Tyne coals (sold in the London market by the chaldron, and not by the ton as they are now), produced 2 *l.* 5 *s.* 6 *d.* the London chaldron, and that 17 years afterwards, in 1835, the same coal sold for 1 *l.* 5 *s.* 6 *d.* in the London market?—I am aware that there was a considerable decrease in the price.

Has not the same decrease in price taken place with respect to all other commodities?—I think not.

Is London the only place to which coals are sent from the north of England?—No; Yarmouth and other places; Lynn.

Is any quantity sent abroad?—Yes; but I do not know the ratio.

Are you aware that, with respect to one part of the coast of France, the import duty on coal has been reduced?—No; I was informed that it was increasing: whether it was so or not I cannot say.

Are you aware that Lord Durham was exceedingly anxious to get different gentlemen connected with the Ministry in France to take off the duty on coal?—I am not aware of it.

Should you conceive that, if that nobleman did so, it was from an idea that the vend of coal would be increased?—I think so.

If that was his motive his conduct was very laudable?—Yes, we should get off some of our small coal.

You are acquainted with the state and condition of the working pitmen in the north of England pretty well?—I am.

Is their state at all injured by the regulation?—No, not at all.

Is their state as good during the regulation as during an open competition and unrestricted vend?—I do not see that there will be much difference in their state.

It signifies very little to the operative pitmen whether there is a restricted or an unrestricted vend?—If he makes more than keeps his family, the rest goes in drink.

You have been asked whether you think that, with an unrestricted trade, this district would be able to compete with the northern district?—I think so.

But suppose the proprietors of coal in the northern district thought this district could not compete with it, would they feel particularly anxious about the formation of railroads which would bring these coal-fields into the market?—I should think they would not like it to be brought.

Suppose they thought this district would not be able to compete with them, do you think they would feel particularly anxious about it?—I dare say they would not interfere with it.

Would they rise up in arms and oppose these railroads, do you think?—I should think not.

Do you know whether there is an inclined plane on the Stockton and Darlington Railway, from the Black Boy, or on any part of it?—I think there is.

Will such inclined plane be avoided by the proposed new railway?—Yes.

Is there an inclined plane from the Black Boy on this very branch?—There is.

Is it longer or shorter than the other?—I do not know.

But there is an inclined plane on both?—Yes.

Do you know whether the proportions of the one inclined plane to the other are as three to one?—I do not know their relative lengths, or even the inclination.

Is the inclination greater or not?—I really do not know; I have not attended to the railway at all.

Do you know, from your personal knowledge, anything at all about it, with regard to this inclined plane?—I know there is an inclined plane on both.

Have you seen it yourself?—I have seen the Stockton and Darlington, and I have seen this that is contemplated, which is not made, but I have seen the line.

(By Mr. *Milner.*)—Is the Chilton coal the same as the coal generally through the red district?—I think not so good.

Is the Chilton pit shut up?—It was not when I left the north; I do not think it is doing much.

It is not actually shut up?—I think not. It may have been shut up since I left the north.

It was not doing much when you left?—No.

It has not done much of late?—No.

(By the *Committee.*)—Is the Black Boy in the red district?—Yes.

Is the Black Boy pit shut up?—No.

Is it likely to be shut up?—No; it is one of the first collieries in the district.

Appendix, No. 51.

RETURNS BY MR. WILLIAM BROWN SCOTT.

SHIP'S NAME
MASTER'S NAME
TONS OF COALS ON BOARD BY CERTIFICATE
DAY OF ARRIVAL AT GRAVESEND
DAY OFFERED FOR SALE
DAY SOLD, OR OTHERWISE DISPOSED OF
DAY WHEN DELIVERY BEGAN
DAY ON WHICH CARGO WAS DELIVERED
NUMBER OF DAYS FROM ARRIVAL AT GRAVESEND TO DELIVERY OF CARGO

FOR THE MONTHS OF JUNE AND OCTOBER 1835.

FOR JUNE 1831.

SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrived at Gravesend.	Offered for Sale.	Sold, or otherwise disposed of.	Began to work.	Delivered.	Days from Arrival at Gravesend to Delivery.
Parkins	Walter	325	Mon. 1 June	Frid. 19 June	Frid. 19 June	20 June	29 June	28
Britannia	Needham	318	—	—	—	—	27 —	26
Premium	Young	325	—	—	—	—	25 —	24
Ocean	Robinson	220	—	—	Mon. 22 June	23 —	27 —	26
Willey	Harnison	290	—	—	Frid. 19 —	—	26 —	25
London	Davis	127	—	Small cargoes	Wed. 3 —	5 —	8 —	3
Sarah	Richardson	174	—	Imported, not for sale	—	— No weigher employed, consequently no record.		
Enterprize	Penryn	10	—	Welsh coals, not for sale	—	6 June	6 June	2
Henry and Harriet	Lawson	339	—	Frid. 19 June	Frid. 19 June	23 —	27 —	26
Friends	Brown	217	—	—	—	—	25 —	24
Ringdove	Garden	159	—	—	—	—	23 —	22
Margaret	Gowland	266	—	—	—	—	25 —	24
Asia	Miller	410	—	—	—	—	27 —	26
Bolina	Dobinson	225	—	—	—	—	25 —	24
Blakiston	Irving	275	—	Gas coals, not for sale	—	No weigher, &c.		
Scotia	King	339	—	Frid. 19 June	Frid. 19 June	23 June	26 —	25
Cistus	Jackson	296	—	—	—	—	27 —	26
Integrity	Ramsay	254	—	—	—	—	24 —	23
Alter	Smyth	294	—	—	—	—	25 —	24
Leander	Moorsom	265	—	—	—	—	26 —	25
Bee	Jobling	214	—	—	—	No weigher, &c.		
Robert and Ann	Hall	278	—	—	—	23 June	26 —	25
William	Swinburne	254	—	—	—	—	25 —	24
Ceres	Clark	318	—	—	Mon. 22 June	—	30 —	29
Tyne	Cowen	129	—	Small cargo	Frid. 5 —	9 —	11 —	10
Bird	Robinson	275	—	Frid. 19 June	— 19 —	23 —	26 —	25
Jane	Blackburn	245	—	—	—	—	26 —	25
Express	Heppell	331	—	—	—	—	27 —	26
Mary	Briggs	110	—	—	—	10 —	11 —	10
Thornason	Mitchell	344	—	—	—	—	26 —	25
Castlereagh	Lumsden	347	—	—	—	—	27 —	26
Matilda	Elliott	291	—	—	—	—	27 —	26
Two Sisters	Youens	445	—	—	—	—	1 July	30
Commerce	Hewet	310	—	—	—	—	27 June	26
Amity	Maize	308	Tues. 2 June	—	—	—	29 —	27
Hope	Scott	371	—	—	—	—	29 —	27
Supply	Hall	318	—	—	—	—	29 —	27
Charlotte	Wilkinson	365	—	—	—	—	30 —	28
Amelia	Hunter	355	—	—	—	—	26 —	24
Dorothy	Graydon	283	—	—	—	—	26 —	24
Margaret and Ann	Morrison	371	—	Mon. 22 June	Wed. 24 June	25 —	3 July	31
Mentor	Hopper	259	—	—	Mon. 22 —	23 —	27 June	25
Twins	Brown	254	—	—	—	—	—	25
Maxwell	Hurst	363	—	—	Wed. 24 June	25 —	2 July	30
Triton	Young	286	—	—	Mon. 22 —	23 —	26 June	24
Harrier	Papper	318	—	—	Wed. 24 —	25 —	1 July	30
Amphitrite	Buckham	392	—	—	Mon. 22 —	23 —	2 —	31
Regent	Clark	249	—	—	—	—	29 June	27
Charles	Simpson	96	—	Small cargo	Wed. 3 June	No weigher, &c.		
Tees	Sherwood	106	—	—	Frid. 5 —	5 June	6 June	5

(continued)

SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrived at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
Wynyard	Hannam	84	Tues. 2 June	Small cargo	Tues. 5 June	5 June	9 June	7
John	Perry	325	—	Mon. 22 June	Mon. 22 —	23 —	1 July	29
Argo	Cook	339	—	—	—	—	26 June	24
Perseverance	Almond	310	—	—	—	—	27 —	25
Fisher	Sweetman	227	—	—		—	—	—
Prompt	Lodge	318	—	—	—	—	30 —	28
Joseph Hume	Noble	466	—	—	—	—	1 —	29
Ann	Hindmarsh	227	Wed. 3 June	—	—	—	27 —	25
Leslie Ogilby	John	331	—	—	Frid. 19 June	20 —	29 —	26
Mary	Leitch	349	—	—	Mon. 22 —	23 —	1 July	28
Active	Henderson	306	—	—	Frid. 26 —	27 —	6 —	33
Friore	Marshall	210	—	Welch coals	Mon. 8 —	9 —	13 —	11
Marquis Wellington	Gibbs	84	Frid. 5 June	Small cargo	—	—	10 —	5
Allen	Jones	190	—	Mon. 22 June	Mon. 22 June	23 —	25 June	20
Three Sons	Futhbury	299	—	—	Wed. 24 —	25 —	1 July	26
William and Jane	Davison	285	—	—	Mon. 22 —	23 —	29 June	24
Navigator	Barker	344	—	—	—	—	—	—
Mary	Coxon	296	—	—	—	—	26 —	21
Britannia	Stephenson	339	—	—	—	—	27 —	22
Shakspeare	Berwick	305	—	—	—	—	30 —	25
Swift	Williams	59	—	—	Frid. 26 June	27 —	27 —	22
Aboyne	Foster	230	—	Welch coal	— 5 —	6 —	17 —	12
Willing Mind	Simpson	200	—	Mon. 22 June	Mon. 22 —	25 —	27 —	22
Sceptre	Gill	296	—	—	—	23 —	26 —	21
Providence	Graham	360	—	—	Wed. 24 June	25 —	1 July	26
Peruvian	Davison	328	—	—	Mon. 22 —	23 —	27 June	22
Friendship	Hepplewaite	445	—	—	—	—	1 July	26
Atlantic	Southern	235	—	—	—	No weigher, &c.		
Mary	Palliser	251	—	—	Frid. 26 June	22 —	1 —	26
Betsey	Cleet	424	—	—	Mon. 22 —	23 —	—	26
Merton	Bateman	190	—	—	Wed. 24 —	25 —	29 —	24
Barbara	Brown	233	Sat. 6 June	—	Mon. 22 —	23 —	27 —	21
Exchange	Lee	230	—	Welch coals	— 13 —	13 —	22 —	16
Brothers	Wilson	243	—	Wed. 24 June	Wed. 24 —	25 —	29 —	23
Agility	Fotheringham	270	—	—	—	—	30 —	24
Fame	Robinson	196	—	—	—	—	—	—
Pomona	Garterett	265	—	—	Frid. 26 June	27 —	2 July	26
Atlas	Brown	238	—	—	Wed. 24 —	—	1 —	25
Hendon	Purdy	288	—	—	—	25 —	—	—
Esk	Purvis	211	—	—	—	—	26 June	20
Richard and John	Hall	296	—	—	—	—	1 July	25
Sarah	Hall	286	—	—	—	—	30 June	24
Venelia	Wardle	240	—	—	—	—	27 —	21
Columbus	Gray	339	—	—	—	—	3 July	27
Newcastle	Pennington	344	—	—	—	—	2 —	26
Blackett and Ridley	Smith	310	—	—	—	—	—	—
Industry	Wood	333	—	—	—	—	1 —	25
Elizabeth	Stobbs	424	—	—	—	—	—	—
Phœbe	Pearson	239	—	—	—	—	30 June	24
Albion	Cook	257	—	—	—	—	—	—
Atlantic	Graham	328	—	—	Frid. 26 June	27 —	2 July	26
Payley	Meldrum	318	—	—	Wed. 24 —	25 —	30 June	24
Itinerant	Arkley	315	—	—	—	—	1 July	25
Phœbe	Robson	296	—	Gas coals, not for sale		No weigher, &c. &c.		
Hero of the Nile	Suinett	291	—	ditto	—	11 June	27 July	21
Thames	Cock	169	—	Wed. 24 June	Wed. 24 —	25 —	26 —	20
Maria	Lumbey	413	—	Gas coals, not for sale		No weigher, &c. &c.		
Zealous	Dixon	246	—	Wed. 24 June	Wed. 24 June	25 June	1 July	25
Brothers	Stockill	260	—	—	—	—	30 June	24
Cora	Renner	392	—	—	—	—	1 July	25
Relief	Hagius	217	—	—	—	—	30 June	24
Sisters	Milburn	305	—	—	—	—	—	—
Argos	Smith	347	—	—	—	—	1 July	25
Fountain	Ainsley	250	—	—	—	—	29 June	23
Eclipse	Ingo	55	—	Small cargo	Wed. 10 June	9 —	9 —	3
Hotspur	Huidhaugh	339	—	Wed. 24 June	— 24 —	25 —	2 July	26
Prinne	Walker	355	—	—	Frid. 26 —	27 —	1 —	25
Times	Elliot	212	—	Frid. 26 June	— 26 —	—	30 June	24
Vittoria	Smith	376	—	—	—	—	2 July	26
Liberty	Lisk	267	—	—	—	—	30 June	24
New Concord	Dove	254	—	—	—	—	1 July	25
Ann	Watson	220	—	—	Mon. 29 June	30 —	2 —	26
Eagle	Graham	254	—	—	Frid. 26 —	27 —	1 —	25
Smith	Telford	243	—	—	—	—	1 —	—
Anne	Chambers	318	—	—	—	—	4 —	28
Robert	Gray	307	Sun. 7 June	Gas coals, not for sale		No weigher, &c. &c.		
Unity	Bulman	373	—	Frid. 26 June	Frid. 26 June	27 —	3 July	26
Henry	Clark	196	—	—	—	—	1 —	24
James and Agnes	Sibbald	389	—	—	—	—	3 —	26
Margaret	Fletcher	100	—	Small cargo	Wed. 10 June	13 —	13 —	6
Emery	Husband	225	—	Frid. 26 June	Frid. 26 —	27 —	1 —	24
Hero	Wilson	225	—	—	—	—	2 —	29
Rasselas	Skey	339	—	—	—	—	—	—
Woodpark	Whitehead	275	—	Gas coals, not for sale		8 —	12 —	5
Farmer	Ramsay	296	—	Frid. 26 June	Mon. 29 June	30 —	3 —	26
Mary	Jobling	279	—	—	—	—	4 —	27
Friends	Harper	336	—	—	Frid. 26 June	27 —	3 —	26
Content	Patteson	381	—	—	—	—	3 —	—
Ann's Resolution	Blaine	238	—	Importer's cargo		No weigher, &c. &c.		
Telemachus	Warden	424	—	Frid. 26 June	Frid. 26 June	27 —	2 July	25
Elizabeth	Proud	254	—	—	—	—	—	—
Broadwood	Gray	225	—	—	—	—	1 —	24
Malvina	Corbett	130	—	Small cargo	Wed. 10 June	10 —	13 —	6
Formosa	Watson	229	Mon. 8 June	Frid. 26 June	Frid. 26 June	27 —	2 —	21

SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrival at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
Abbotsford	Harlam	530	Mon. 8 June	Friday 26 June	Friday 26 June	27 June	6 July	28
William	Clay	339	—	Importer's cargo, not for sale		11 —	13 —	5
Elizabeth	Duncan	90	—	Small cargo	Wed. 10 June	— —	— —	—
William and John	Rewely	328	—	Friday 26 June	Friday 26 June	27 —	4 —	26
Adelphi	Fairless	260	—	—	—	— —	3 —	25
Cornelius	Simpson	318	—	—	—	— —	1 —	23
John Frederick	Guest	230	Tues. 9 June	Welch, not for sale		11 —	18 June	9
Rainbow	Harrison	291	—	Friday 26 June	Frid. 26	27 —	2 July	23
Bell	Langley	283	—	—	—	— —	1 —	22
Lambton	Apedaile	270	—	—	—	— —	2 —	23
Jasper	Mitcalfe	286	—	—	—	— —	1 —	22
Pearsons	Hurst	165	Wed. 10 June	—	—	— —	— —	—
James	Cowie	339	—	Mon. 29 June	Wed. 1 July	30 —	6 —	26
Merchants' Packet	Taylor	296	—	—	Mon. 29 June	— —	3 —	23
Hope	Robinson	325	—	—	—	— —	6 —	26
Two Brothers	Hudson	212	—	—	—	— —	1 —	21
Fenwick	Warner	267	—	—	—	— —	3 —	23
Welcome	Bell	402	—	—	—	— —	9 —	29
Archemides	Calvert	195	—	Welch coals, not for sale		13 —	16 —	6
Emsworth	Surtees	265	—	Mon. 29 June	Mon. 29 June	— —	2 —	22
Risebro'	Meldrum	348	—	—	—	— —	4 —	24
Gleaner	Duckells	95	—	Small cargo	Frid. 12 June	— —	15 —	5
Resource	Young	196	—	Mon. 29 June	Mon. 29 June	— —	2 —	22
Anna	Robertson	355	—	—	—	— —	4 —	24
Sunderland Packet	Burletson	201	—	—	—	— —	4 —	—
Mars	Walls	371	—	—	—	— —	6 —	26
Eliza	Joss	381	—	—	—	— —	4 —	24
Williams	Garrett	275	—	—	—	— —	3 —	23
Edward	Finlayson	268	—	—	—	— —	4 —	24
Tenterden	Black	174	—	—	—	— —	3 —	23
Thetis	Elliott	296	Thurs. 11 June	—	—	— —	3 —	22
William	Robinson	445	—	—	—	— —	6 —	26
Spring	Smith	413	—	—	Wed. 1 July	1 luly	8 —	27
Friendship	Fairbarn	341	—	—	Mon. 29	30 June	6 —	25
Ocean	Heslop	275	—	—	—	— —	3 —	22
Avon	Nicholson	424	—	Gas coals, not for sale		No weigher, &c. &c.		—
Jemini	Cockerell	400	—	Mon. 29 June	Mon. 29 June	30 June	8 —	27
Ugie	Burton	275	Frid. 12 June	—	—	— —	3 —	21
Galatœa	Young	174	—	Importer's, not for sale		No weigher, &c. &c.		
Guildford	Thrift	294	—	Gas coals, ditto, ditto		No - ditto.		
Favourite	Middleton	266	—	Welch coals, ditto, ditto		16 June	22 June	10
Nautilus	Harvey	318	—	Mon. 29 June	Wed. 1 July	1 July	9 July	—
Attaliah	Storm	270	—	—	Frid. 19 June	20 June	26 June	14
Ariadne	Cleet	254	—	Importer's cargo not for sale		16 —	18 —	6
Phœnix	Wheatley	360	—	Mon. 29 June	Mon. 29 June	30 —	6 July	24
Catherine and Ann	Anderson	296	Sat. 13 June	Gas coals, not for sale		18 —	24 —	11
Lord Stewart	Stoddart	320	—	Mon. 29 June	Mon. 29 June	30 —	6 —	23
Jane	Moffit	291	—	—	—	— —	7 —	24
Elswick	Clark	148	—	—	—	— —	2 —	19
Edward	Longley	330	Sun. 14 June	—	—	— —	3 —	19
Liverpool	Davidson	267	—	Wed. 1 July	Wed. 1 July	1 July	9 —	25
Alston	Richardson	343	—	—	—	1 —	6 —	22
Ellen	Trattles	285	—	—	—	1 —	— —	—
Robinson	Cook	240	—	—	—	1 —	— —	—
Gratitude	Thompson	283	—	—	—	— —	4 —	20
Susannah	Howe	302	—	—	—	— —	6 —	22
Thames	Hill	106	—	Small cargo	Wed. 17 June	20 June	26 June	12
Corinthian	Dickinson	344	—	Wed. 1 July	Wed. 1 July	1 July	6 July	22
Clara	Rennie	245	—	—	—	1 —	— —	—
Beatitude	Hatton	250	—	—	—	1 —	7 —	23
Tyne	Arkley	291	—	—	—	1 —	4 —	20
Bridget	Needham	286	—	—	—	1 —	7 —	23
Ryhope	Patteson	268	—	Frid. 3 July	Frid. 3 July	3 —	8 —	24
Lumsden	Johnson	304	—	Wed. 1 July	Wed. 1 July	1 —	6 —	22
Stantons	Wright	212	—	—	—	1 —	— —	—
Enterprise	Clarkson	116	—	—	—	18 June	20 June	6
Esther	Dotchin	148	—	—	—	1 July	4 July	20
William and Mary	Bowman	233	—	—	—	— —	6 —	22
Moore	Moore	296	—	Small cargo	Frid. 19 July	— —	8 —	24
Ford	Mr. Ray	330	—	Wed. 1 July	Wed. 1 July	— —	7 —	23
Agenoria	Craster	260	—	—	—	— —	— —	23
Brothers	Horton	120	—	—	—	20 June	23 June	9
Cicero	Williams	265	—	—	—	1 July	4 July	20
Bradford	Jamieson	296	—	—	—	1 —	6 —	22
Elizabeth	Blakey	200	—	—	—	— —	4 —	20
Valiant	Arrowsmith	300	—	—	—	— —	7 —	23
Pilgrim	Heslop	235	—	—	—	— —	6 —	22
Rosetta	Atkinson	280	—	—	—	— —	4 —	20
Alfred	Miller	193	—	—	—	— —	4 —	—
Sylvanus	Green	222	Mon. 15 June	—	—	— —	6 —	21
Margaret	Brown	371	—	—	—	— —	8 —	23
Calysta	Coats	347	—	—	—	— —	7 —	22
Hermione	Hare	328	—	—	—	— —	9 —	24
Friendship	Nesbitt	378	—	—	—	— —	8 —	23
Galena	Jeffry	310	—	—	—	— —	7 —	22
Amphitrite	Armstrong	503	—	—	—	— —	11 —	26
Brilliant	Youens	302	—	—	—	— —	7 —	22
Fenwick	Thompson	402	—	—	—	— —	11 —	26
William and Anne	Lewis	325	—	—	—	— —	7 —	22
Hylton Castle	Spence	286	—	—	—	— —	6 —	21
Loyalty	Brougham	275	—	—	—	— —	4 —	19
Isabella	Morris	280	—	Frid. 3 July	Frid. 3 July	3 —	10 —	25
Hunter	Pesiod	148	—	Small cargo	Frid. 19 June	20 June	22 June	7
Commerce	Thornton	288	—	Gas coals, not for sale		No weigher, &c. &c.		

(continued)

SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrival at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
Ben	Marshall	220	Mon. 15 June	Frid. 3 July	Frid. 3 July	3 July	9 July	24
William	Smith	270	—	—	—	—	—	—
Tertius	Brown	318	—	—	—	—	11 —	26
Thomas and Margaret	Williamson	280	—	—	—	—	8 —	23
York Union	Bell	165	—	—	—	—	7 —	22
Mutual	Forster	233	—	Gas coals, for sale	—	No weigher, &c. &c.		—
Surry	Wilson	53	—	Small cargo	Wed. 17 June	18 June	18 June	3
Croft	Croft	88	—	ditto	—	—	19 —	4
Matthew and Ann	Nixon	280	—	Frid. 3 July	Frid. 3 July	3 July	8 —	23
Royalist	Kelvington	318	—	—	—	—	9 —	24
Duncombe	Cook	323	—	—	—	—	—	—
Venus	Dodds	280	—	—	—	—	—	—
Grecian	Kentish	445	—	—	—	—	9 July	24
Wandering Shepherd	Wittle	339	—	—	—	—	—	—
Argonaut	Armstrong	344	—	—	—	—	11 —	26
Mary	Hutchinson	333	—	—	—	—	10 —	25
Waterhouse	Carter	307	—	Gas coals, not for sale		17 June	26 June	11
Duke of Wellington	Robinson	307	—	Frid. 3 July	Frid. 3 July	3 July	8 July	23
Zephyrus	Eden	331	—	—	—	—	11 —	26
William Henry	Capple	365	—	—	—	—	9 —	24
Phesdo	Elliott	389	—	In distress, ¼ sold 17 June		18 June	30 June	15
Tynemouth	Fairbourn	392	—	Gas coals, not for sale		No weigher, &c. &c.		—
Amity	Pepper	245	—	Frid. 3 July	Frid. 3 July	3 July	9 July	24
Pilot	Owenson	85	—	Small cargo	Wed. 17 June	18 June	18 June	3
Harmony	Potts	381	Wed. 17 June	Frid. 3 July	Frid. 3 July	3 July	10 July	23
Amicus	Heron	87	—	Small cargo	— 19 June	20 June	23 June	6
Friendship	Wilkinson	208	—	Welch coals	— 19 June	18 —	24 —	7
Tagus	Carruthers	445	—	In distress	Mon. 22 June	23 June	30 June	13
Magnet	Bell	296	—	Gas coals, not for sale		No weigher, &c. &c.		—
Robert Bruce	Anderson	20	—	Small cargo	Wed. 17 June	18 June	18 June	1
Cygnet	Blacklaw	294	—	Frid. 3 July	Frid. 3 July	3 July	9 July	22
Jane Kay	Richmond	345	—	—	—	—	—	—
Meridian	Kell	318	Thurs. 18 June	—	—	—	8 —	20
Mary	Revely	312	—	—	—	—	9 —	21
Velatina	Miller	260	—	—	—	—	8 —	20
Ann	Stoney	246	Frid. 19 June	—	—	—	—	19
Douglas	Hambly	424	—	—	—	—	14 —	25
New Darlington	Fate	58	—	Small cargo	Mon. 22 June	24 —	24 June	5
Barbara	Robertson	102	—	ditto	—	23 —	25 —	6
Sythe	Hawk	275	—	Frid. 3 July	Frid. 3 July	3 July	8 July	19
Wear Packet	Proud	294	—	—	—	—	—	—
Galena	Cooper	275	—	—	—	—	7 —	18
Orient	Brodie	381	—	—	—	—	14 —	25
Eve	Tate	286	—	—	—	—	9 —	20
Arno	Robinson	340	—	—	—	—	11 —	22
Edward Charleton	Morrison	350	—	—	—	—	9 —	20
Ann	Watt	381	—	—	—	—	—	—
Mentor	Heppell	425	—	—	—	—	11 —	22
Nymph	Gowland	129	—	Small cargo	Mon. 1 June	No weigher, &c. &c.		—
Eagle	Booth	335	—	Frid. 3 July	Frid. 3 July	3 July	11 July	22
Quebec Packet	Back	294	—	—	—	—	10 —	21
Antelope	Bell	471	—	—	—	—	14 —	25
Albion	Fullock	254	—	Mon. 6 July	Wed. 8 July	8 —	—	—
Lavinia	Walker	310	—	—	Mon. 6 July	6 —	11 —	22
Eliza and Ann	Wood	339	—	—	—	—	13 —	24
Fort Augustus	Imrie	302	—	—	—	—	13 —	—
Alderman	Wood	328	—	—	—	—	15 —	26
Marshall	Venus	371	—	—	—	—	14 —	25
Hawk Packet	Scotland	291	—	—	—	—	10 —	21
William	Spencer	357	—	—	—	—	14 —	25
Aid	Crane	275	—	—	—	—	10 —	21
Thames	Graniger	202	—	—	—	—	—	—
Furidon	Sambton	365	—	—	—	—	14 —	25
Nancy	Shipley	371	—	Importers' cargo, not for sale		24 June	Meter for only 21 tons.	
John	Wake	254	—	Mon. 6 July	Mon. 6 July	6 —	10 July	21
Aurora	Thomas	242	—	—	—	—	—	—
Euphemia	Miller	212	—	—	—	—	11 —	22
Margaret	Lightford	159	—	Steam coals, not for sale		23 —	25 June	6
Mentor	Morton	360	Sat. 20 June	—	—	6 July	11 July	21
Rochester Castle	Embleton	235	—	—	—	—	10 —	20
Chancellors	Knox	300	—	—	—	—	—	—
Wilna	Brown	246	—	—	—	—	—	—
Lord Seaham	Spence	320	—	—	—	—	13 —	23
Phœbe	Hood	386	—	—	—	—	11 —	21
William	Richardson	312	—	—	—	—	14 —	24
Cleveland	Meynall	43	—	Small cargo	Wed. 24 June	26 June	26 June	6
Three Brothers	Taylor	40	—	ditto	—	23 —	24 —	4
Bedford	Wardropper	219	—	Mon. 6 July	Mon. 6 July	6 July	11 July	21
Friends	Ward	291	—	—	—	—	10 —	20
John and Mary	Smith	445	—	—	—	—	13 —	23
Emancipation	Robinson	318	—	—	—	—	11 —	21
Thomas and Nancy	Tullock	286	—	—	—	—	—	—
A new ship	Hodson	275	—	—	—	—	13 —	23
Peace	Newbiggin	402	—	—	—	—	15 —	25
Blenheim	Coxon	358	—	—	—	—	—	—
Eliza	Usher	355	—	—	—	—	13 —	23
Cleveland	Smith	302	—	—	Wed. 3 July	8 —	15 —	25
Broderick	Frost	402	Sun. 21 June	—	Mon. 6 July	6 —	10 —	19
Martha	Chapman	290	—	Welch coals, not for sale		23 June	27 June	6
Sarah	Oxley	339	—	Mon. 6 July	Mon. 6 July	6 July	10 July	19
Frederick	Williamson	163	—	Welch coals	Frid. 26 June	27 June	1 —	10
Hebe	Kidman	267	—	Mon. 6 July	Mon 6 July	6 July	10 —	19
Mould	Morris	351	—	—	—	—	11 —	20
Jemima	Buchanan	344	—	—	—	—	14 —	23

SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrived at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
Charles Henry	M'Gregor	330	Sun. 21 June	Wed. 8 July	Wed. 8 July	8 July	16 July	25
James Brook	Turner	275	—	—	—	—	15 —	24
Sisters	Walker	355	—	—	—	—	16 —	25
Boreas	Annan	324	—	—	—	—	14 —	23
Sidney Packet	Smith	209	—	—	—	—	11 —	20
Ariel	Davidson	296	—	—	—	—	17 —	26
Elizabeth	Morris	344	—	—	—	—	15 —	24
Fortitude	Brown	280	—	—	—	—	13 —	22
Minerva	Wood	272	Mon. 22 June	—	—	—	14 —	—
Ark	Clark	240	—	—	—	—	—	—
Earsdon	Wightman	254	—	—	—	—	—	—
John and Mary	Allison	328	—	Gas coals, not for sale		No weigher, &c.		
Eleanor	Jack	135	—	Wed. 8 July	Wed. 8 July	8 July	11 July	19
Isabella Sarah	Lee	127	—	Small cargo	Wed. 24 June	29 June	30 June	8
Loyal	Watson	286	—	Wed. 8 July	Wed. 8 July	8 July	14 July	22
Lord Melville	Knowles	312	—	Gas coals, not for sale		No weigher, &c.		
William	Robinson	310	—	Wed. 8 July	Wed. 8 July	8 July	16 July	24
Mars	Blackburn	328	—	—	—	—	11 —	19
Palladium	Fleming	339	—	—	—	—	15 —	23
Ann	Jackson	381	—	—	—	—	17 —	25
Dorothy	Jully	336	—	—	—	—	15 —	23
Grasshopper	Fowls	245	—	—	—	—	14 —	24
Ann	Burdon	270	—	—	—	—	15 —	23
Two Brothers	Wylam	275	—	—	—	—	13 —	21
Albion	Pegg	325	—	—	—	—	15 —	23
Cluigand	Russell	185	—	—	—	—	13 —	21
Ann	Lambton	328	—	—	—	—	16 —	24
Ranger	Driffield	72	—	Small cargo	Mon. 22 June	23 June	23 June	3
Earl Hopetoun	Miller	20	—	—	—	25 —	25 —	5
Placidia	Thompson	288	—	Wed. 8 July	Wed. 8 July	8 July	13 July	21
Clinker	Jackson	259	—	—	—	—	—	—
Gilsland	Thompson	270	—	—	—	No weigher, &c.		
Warsaw	Needham	343	—	—	—	8 July	14 July	22
Margaret	Wawn	473	—	Welch coals	Mon. 22 June	27 June	7 —	17
Busy	Bond	210	—	Wed. 8 July	Wed. 8 July	8 July	11 —	19
Whim	Stirling	106	—	Small cargo	Wed. 24 June	25 June	19 June	9
Justinian	Ray	400	—	Welch coals, not for sale		— —	2 July	12
Union	Hudson	250	—	Importer's, not for sale		23 —	30 June	10
Hebe	Thompson	381	—	Gas coals, not for sale		No weigher, &c.		
Ann	Jollie	196	—	Trader	Wed. 1 July	ditto.		
Sedgefield	Nottingham	299	—	Wed. 8 July	Wed. 8 —	8 July	15 July	23
Quayside	Hall	384	—	—	—	— —	— —	—
Argo	Brown	330	Tues. 23 June	Welch coals, not for sale		25 June	2 —	12
Providence Good Intent	Atkinson	97	—	Small cargo	Wed. 24 June	No weigher, &c.		
Jane	Piecock	41	—	—	—	27 June	27 June	6
Louisa	Piede	80	—	—	—	25 —	25 —	4
Ann	Peacock	196	Wed. 24 June	Wed. 8 July	Wed. 8 July	8 July	13 July	19
Thomas	Wood	235	—	—	—	— —	14 —	20
Garland	Hudson	333	—	—	—	— —	15 —	21
Raby Castle	Greenside	84	—	Small cargo	Frid. 26 June	29 June	29 June	8
Mary	Williamson	304	—	Wed. 8 July	Wed. 8 July	8 July	15 July	21
Camilla	Man	50	—	Small cargo	Wed. 24 June	25 June	26 June	5
Planter	Davison	400	—	Wed. 8 July	Wed. 8 July	8 July	15 July	21
Autumn	Dove	201	—	—	—	— —	13 —	19
Success	Graham	400	Thurs. 25 June	Gas coals, not for sale		No weigher, &c.		
Commercial	Jones	240	—	Frid. 10 July	Frid. 10 July	10 July	16 July	21
Lord Wellington	Nicolson	20	—	Small cargo	Frid. 26 June	30 June	30 June	5
Diamond	Smith	74	—	—	Mon. 29 —	— —	— —	—
Celerity	Parkinson	217	—	Wed. 8 July	Frid. 10 July	10 July	15 July	20
Fortitude	Moat	439	Frid. 26 June	—	—	— —	22 —	26
Bramin	Stewart	170	—	Welch coals, not for sale		27 June	30 June	4
Benwell	Moody	169	—	Frid. 10 July	Frid. 10 July	10 July	14 July	18
Ruby	Fell	347	—	—	Mon. 13 —	13 —	18 —	22
Prince of Wales	Dawney	368	—	—	—	— —	21 —	23
Frederick	Backhouse	301	—	—	—	10 —	15 —	15
Sarah	Richardson	180	—	—	—	10 —	— —	14
Kingston	Pearson	304	—	Gas coals, not for sale		No weigher, &c.		10
Blessing	Robinson	275	—	Frid. 10 July	Frid. 10 July	10 July	17 Jul	
Don	Turnbull	230	—	—	—	— —	16	14
Agenoria	Redford	129	Sat. 27 June	Small cargo	Wed. 1 —	1 —	4	18
Peggy	Thompson	498	—	Frid. 10 July	Frid. 10 —	10 —	17	11
Frankfort	Robinson	291	—	—	—	— —	16	15
Wedlands	Lister	262	—	—	—	— —	1 —	10
Aquilon	Cleghorn	292	—	—	—	— —	— —	15
Bell and Ann	Ford	283	—	—	—	— —	— —	14
John and Margaret	Luckley	234	—	—	—	— —	— —	
Alpha	Ritchie	275	—	—	—	— —	22 —	16
Star	Wardle	312	—	—	—	— —	22 —	16
Peggy	Sligtholm	339	—	—	—	— —	21 —	15
Britain	Wyse	106	—	Small cargo	Wed. 1 July	1 —		
Earl Grey	Wright	355	—	Frid. 10 July	Frid. 10 —	10 —	12 —	6
Syren	Whitehouse	318	—	—	—	— —	10 —	4
Canada	Scott	323	—	—	—	— —	21 —	14
William	Hall	270	—	—	—	— —	19 —	12
James	Wilson	294	—	—	—	— —	16 —	9
Vine	Green	291	—	—	—	— —	28 —	21
Æschylus	Dixon	286	—	Importer's cargo, not for sale		No weig	21 —	14
Pursuit	Fate	344	—	Frid. 10 July	Frid. 10 July	10 July	23 —	13
Bywell	Simpson	328	—	—	—	— —	20 —	13
Amphitrite	Scott	312	—	—	—	— —	— —	—
Friends	Ray	275	—	—	—	— —	23 —	16
Orient	Jamieson	150	—	—	—	— —	30 —	23
Voyager	Chilton	338	—	—	—	— —	26 —	19
Thomas and Betsey	Curtain	272	—	—	—	— —	21 —	14

(continued)

SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrival at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
Resolution	Marwood	267	Sat. 27 June	Frid. 10 July	Frid. 10 July	10 July	16 July	19
Jenny	Smith	376	—	—	—	—	18	21
Air	Mills	307	—	—	—	—	15	18
Nancy	Johnson	445	—	Gas coals, not for sale		29 June	4	7
Henry and Elizabeth	Mann	225	—	Frid. 10 July	Frid. 10 July	10 July	15	18
John	Watkins	219	—	—	—	—	—	—
Palladium	Middleton	288	—	—	—	—	—	—
Brack	Job	323	—	—	—	—	17	20
Stamfordham	Heron	381	—	—	—	—	20	23
Hythe	Marby	265	—	Mon. 13 July	Mon. 13 July	13	18	21
Good Intent	Bowsen	259	—	—	—	—	20	23
Thalia	Reynolds	315	Sun. 28 June	—	—	—	18	20
Elizabeth	Wood	285	—	—	—	—	—	—
Thomas Burdon	Chisholme	219	—	—	—	—	16	18
Friends	Taylor	371	—	—	—	—	18	20
Ann	Foster	122	—	Small cargo	Wed. 1 July	1	2	4
Oak	Smith	85	Mon. 29 June	ditto	—	1	1	2
Newcastle	Stokoe	190	—	Mon. 13 July	Mon. 13	13	17	18
Graces	Young	370	—	Gas coals, not for sale		30 June	3	4
Fanny	Hettonstall	84	—	Small cargo	Mon. 6 July	1 July	2	3
Mercury	Luckie	198	—	Importer's, not for sale		30 June	1	2
Bamieby	Matchem	60	—	Small cargo	Wed. 1 July	1 July	6	7
George	Crofts	95	—	ditto	Mon. 13	No Weigher, &c.		
Triton	Younghusband	280	—	Mon. 13 July	—	13 July	17 July	18
Supply	Young	333	—	—	—	13	18	19
Samaritan's Hope	Stormont	294	—	—	—	—	—	—
Star	White	360	—	—	Frid. 17	17	27	28
Æolus	Townsend	257	—	In distress	¼ sold 3	10	11	12
Langley	Bell	341	—	—	Mon. 13	13	22	23
Thompson	Kirkwood	254	—	—	—	—	17	28
Sterling	Hunter	254	—	—	Wed. 15	15	23	24
Maria	Romley	413	—	Gas coals, not for sale		No Weigher, &c.		
Charlotte	Tate	339	Tues. 30 June	Mon. 13 July	Mon. 13 July	13 July	18 July	18
Ruby	Sibbald	381	—	—	—	—	24	24
Boldon	Campdell	352	—	—	—	—	17	17
Cicely	Robinson	294	—	—	—	—	18	18
Triune	Burgess	291	—	Importer's, not for sale		No weigher, &c.		
George and Jane	Griggs	243	—	Gas coals, not for sale		ditto		
Adventure	Cock	349	—	Mon. 13 July	Mon. 13 July	13 July	20 July	20
Gateshead	Morton	360	—	—	—	—	21	21
Hope	Brown	328	—	—	—	15	23	23
Ann and Elizabeth	Blues	302	—	—	—	13	18	18
Hope	Hendry	148	—	—	—	—	17	17
Elizabeth	Nicholson	333	—	—	Wed. 1 July	1	4	4
Earl Wemyss	Brown	50	—	Small cargo	— 1 —	—	2	2
Superb	Anderson	20	—	ditto	— 1 —	—	1	1
Gipsey	Flockhart	108	—	ditto	— 8 —	8	10	10

FOR OCTOBER 1835.

—	SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrival at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery
5281	Robert	Grey	310	Thur. 1 Oct.	Gas coals, not for sale		No weigher, therefore deliv., &c. unknown.		
5282	Celerity	Parkinson	220	—	Frid. 9 Oct.	Frid. 9 Oct.	12 Oct.	15 Oct.	14
5283	Jaspa	Metcalf	280	—	—	—	—	16 —	15
5284	Friendship	Embleton	227	—	—	—	—	—	15
John	Aquilon	Cleghorn	339	—	—	—	—	—	15
Aurora	[illegible]an	Forest	339	—	—	—	—	20 —	19
Euphemia		Nicolson	434	—	Gas coals, not for sale		6 —	12 —	6
Margaret		Cook	347	—	Frid. 9 Oct.	Frid. 9 Oct.	12 —	17 —	16
Mentor		Robertson	296	—	—	—	—	19 —	18
Rochester Castle		Maize	307	—	—	—	—	16 —	15
Chancellors		Gill	310	—	—	—	—	—	15
Wilna		Kentish	445	—	—	—	—	24 —	23
Lord Seaham		Almond	307	—	—	—	—	19 —	18
Phœbe		Hogg	278	—	Gas coals, not for sale		10 —	13 —	12
William		Taylor	294	—	Frid. 9 Oct.	Frid. 9 Oct.	12 —	14 —	13
Cleveland		Young	296	—	—	—	—	16 —	15
Three Brothers		Poole	81	—	Small cargo	Mon. 5 Oct.	8 —	9 —	8
Bedford		Baker	254	—	Frid. 9 Oct.	Frid. 9 Oct.	12 —	16 —	15
Friends		Brown	320	—	—	—	—	19 —	18
John and Mary		Walker	339	—	—	—	—	16 —	15
Emancipation		[illegible]uter	291	Frid. 2 Oct.	—	—	12 —	19 —	17
Thomas and Nancy		[illegible]itehead	275	—	Importer's cargo, not for sale		3 —	6 —	4
A new ship		[illegible]mond	424	—	Frid. 9 Oct.	Frid. 9 Oct.	12 —	21 —	20
Peace		Newbigg[illegible]son	402	—	—	—	—	—	—
Blenheim		Coxon [illegible]s	210	—	Welch coals	Wed. 7 Oct.	10 —	16 —	14
Eliza		Usher [illegible]ey	209	Sat. 3 Oct.	Frid. 9 Oct.	Frid. 9 —	12 —	15 —	12
Cleveland		Smith [illegible]ans	108	Sun. 4 —	Small cargo	Wed. 7 —	10 —	12 —	2
Broderick		Frost [illegible]tosh	424	—	Frid. 9 Oct,	Frid. 9 —	12 —	19 —	15
Martha		Chapman	243	—	—	—	—	15 —	11
Sarah		Oxley	318	—	—	—	—	17 —	13
Frederick		Williamson	315	—	—	—	—	16 —	15
Hebe		Kidman	381	—	—	—	—	17 —	13
Mould		Morris	318	—	—	—	—	16 —	12
Jemima		Buchanan	100	Mon. 5 Oct.	Small cargo	Wed. 7 Oct.	10 —	12 —	7

—	SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrived at Gravesend.	Offered for Sale.	Sold, or otherwise disposed of.	Began to work.	Delivered.	Days from Arrival at Gravesend to Delivery.
5315	Pacific	Arnold	278	Mon. 5 Oct.	Friday, 9 Oct.	Mon. 12 Oct.	13 Oct.	17 Oct.	12
5316	Ocean	Heslop	265	—	—	Friday, 9 —	12 —	16 —	11
5317	Richard and John	Hall	296	—	—	—	—	16 —	—
5318	Wensley Dale	Siley	392	—	—	—	13 —	21 —	16
5319	Sea Nymph	Lawson	220	—	—	—	—	—	—
5320	Margaret and Ann	Morrison	375	—	—	—	—	17 —	12
5321	Rochester Castle	Embleton	235	—	—	—	—	16 —	11
5322	Thetis	Elliott	291	—	—	Mon. 12 Oct.	13 —	19 —	14
5323	Albion	Cook	254	—	—	Friday, 9 —	13 —	15 —	10
5324	Jane and Mary	Spraggon	275	—	—	—	—	16 —	11
5325	Isabella	Morris	270	—	—	—	—	17 —	12
5326	Lady Stewart	Stoker	344	—	—	—	—	17 —	—
5327	Duncombe	Cook	323	—	—	—	—	16 —	11
5328	Mentor	Hopper	259	—	—	—	—	19 —	14
5329	Rotherham	Langford	108	—	—	—	—	13 —	8
5330	Hawthorn	Dowty	265	—	—	—	—	17 —	12
5331	Providence	Graham	344	—	—	Mon. 12 Oct.	—	20 —	15
5332	Trindon	Lambton	368	—	—	Friday, 9 —	—	17 —	12
5333	Enterprise	Clarkson	128	—	—	—	—	16 —	11
5334	Raby Castle	Greenside	53	—	—	—	10 —	10 —	5
5335	Hendon	Holland	288	—	—	—	13 —	15 —	10
5336	Mary	Wilson	344	—	—	—	—	16 —	11
5337	Cumberland	Sandunn	455	—	Mon. 12 Oct.	Mon. 12 Oct.	—	22 —	17
5338	Grasshopper	Jocols	249	Tues. 6 Oct.	—	Frid. 16 —	19 —	28 —	22
5339	Euphemus	Thompson	339	—	—	Mon. 12 —	—	17 —	11
5340	Integrity	Ramsay	250	—	—	—	14 —	19 —	13
5341	Newcastle	Pennington	352	—	—	—	—	—	—
5342	Triune	Burgess	286	—	—	—	No weigher.		
5343	Sedgefield	Nottingham	299	—	—	—	14 —	17 —	11
5344	Janet	Elliott	253	—	—	—	—	19 —	13
5345	Hope	Reed	196	—	—	—	12 —	17 —	11
5346	Providence	Wills	256	—	—	—	14 —	21 —	15
5347	Curlew	Elliott	299	—	—	—	—	17 —	11
5348	Fortuna	White	349	—	—	—	—	—	—
5349	Warsaw	Needham	343	—	—	—	—	21 —	15
5350	Formosa	Watson	299	—	—	—	—	19 —	13
5351	Valiant	Arrowsmith	300	—	—	—	—	—	—
5352	Planter	Blackburn	384	—	Gas coals, not for sale		No weigher.		
5353	Brach	Job	331	—	Mon. 12 Oct.	Mon. 12 Oct.	14 —	19 —	13
5354	Canada	Scott	323	—	—	—	—	21 —	15
5355	Salem	Gregson	339	—	—	—	10 —	17 —	11
5356	Alexander	Scotland	424	—	—	—	14 —	21 —	15
5357	Sarah	Richardson	180	—	—	—	—	15 —	11
5358	Venus	Dodds	280	—	—	—	—	19 —	13
5359	Danube	Dymond	395	—	—	—	—	21 —	15
5360	John and Margaret	J. Luckie	330	—	—	—	—	17 —	11
5361	Pallion	Spurs	114	—	Small cargo	Friday, 9 Oct.	12 —	12 —	6
5362	Amity	Pepper	259	—	Mon. 12 Oct.	Mon. 12 —	14 —	21 —	15
5363	Mary	Jobling	275	—	—	—	—	17 —	11
5364	Tenterden	Black	175	—	Gas coals, not for sale		10 —	13 —	7
5365	Assiduous	Thompson	318	—	Mon. 12 Oct.	Mon. 12 Oct.	14 —	20 —	14
5366	Wilna	Brown	246	—	—	—	—	—	—
5367	David Owen	Storey	265	—	—	—	—	—	—
5368	Hero	Sordison	286	—	—	—	15 —	21 —	15
5369	Robert and Ann	Wright	233	—	—	Wed. 14 Oct.	16 —	23 —	17
5370	Providence	Caines	424	—	—	Mon. 12 —	15 —	21 —	15
5371	John and Mary	Smith	424	—	—	—	—	—	—
5372	William Parker	Searle	286	—	—	—	—	22 —	16
5373	Express	Austin	90	—	—	Friday, 9 Oct.	12 —	12 —	6
5374	A new ship	Frost	429	—	Mon. 12 Oct.	Mon. 12 —	15 —	23 —	17
5375	London	Davies	381	—	—	—	—	21 —	15
5376	Eagle	Booth	335	—	—	—	—	20 —	14
5377	George and Jane	Griggs	238	—	Gas coals, not for sale		No weigher.		
5378	Norfolk	Downey	551	—	Mon. 12 Oct.	Mon. 12 Oct.	15 —	27 —	21
5379	Equity	Hewson	420	—	—	—	—	21 —	15
5380	Jane	Watt	424	—	—	—	—	20 —	14
5381	Anna	Robertson	344	—	—	Wed. 14 Oct.	16 —	23 —	10
5382	Marquis Wellington	Gibb	112	—	Small cargo	— 7 —	No weigher.		
5383	Chatty	Tomlinson	395	—	Mon. 12 Oct.	Mon. 12 Oct.	15 —	20 —	14
5384	A new ship	Marshall	466	—	—	—	—	24 —	18
5385	Forester	Gibbon	286	—	—	—	—	17 —	11
5386	Thornely	Garrett	350	—	—	—	—	21 —	15
5387	William	Thompson	254	—	—	—	13 —	16 —	10
5388	Nautilus	Harvey	318	—	In distress	¼ sold, 9 Oct.	12 —	21 —	15
5389	Lord Brougham	Peacock	429	—	—	—	10 —	20 —	14
5390	Elizabeth	Poad	159	—	—	—	No weigher.		
5391	St. Catharine	Isemonger	307	—	—	Wed. 14 Oct.	16 —	22 —	16
5392	Clanyard	Russell	196	—	—	Mon. 12 —	15 —	22 —	16
5393	Mexico	Webster	341	—	—	—	—	21 —	15
5394	Traveller	Sutherland	160	—	Steam Company, not for sale		No weigher.		
5395	Holkham	Parley	110	—	Small cargo	Friday, 9 Oct.	12 —	12 —	6
5396	Prosperous	Lingham	70	—	ditto	Wed. 7 —	9 —	10 —	4
5397	Unity	Bell	312	Wed. 7 Oct.	Mon. 12 Oct.	Mon. 12 —	15 —	21 —	14
5398	Content	Jackson	254	—	—	—	—	19 —	12
5399	Jane	Ingo	127	—	—	—	—	16 —	9
5400	A new ship	Martin	450	—	—	—	—	28 —	21
5401	Unity	Bulmer	373	—	—	—	—	21 —	14
5402	Content	Pattison	381	—	—	Wed. 14 Oct.	16 —	23 —	13
5403	Pleiades	Wood	300	—	—	Mon. 12 —	16 —	20 —	13
5404	Sunderland Packet	Burlington	200	—	—	—	—	—	—
5405	Ann and Elizabeth	Blues	304	—	—	—	—	23 —	16
5406	Holderness	Brown	365	—	—	Wed. 14 Oct.	16 —	30 —	23
5407	Henry	Patterson	445	—	—	Mon. 12 —	16 —	26 —	19
5408	Isis	Marlborough	290	—	Welch coals	Friday, 9 —	13 —	21 —	14

(continued)

—	SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrived at Gravesend.	Offered for Sale.	Sold, or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
5409	Cygnet	Blacklaw	291	Wed. 7 Oct.	Wed. 14 Oct.	Wed. 14 Oct.	16 Oct.	20 Oct.	13
5410	Loyal	Watson	294	—	—	—	—	21 —	14
5411	Risebro'	Meldrum	371	—	—	—	—	24 —	17
5412	Elizabeth	Wood	283	—	—	—	17 —	22 —	15
5413	Agility	Fotheringham	270	—	—	—	—	22 —	—
5414	Malvina	Corbett	100	—	Small cargo	Mon. 12 Oct.	No weigher		
5415	Adelphi	Fairless	268	—	Wed. 14 Oct,	Wed. 14 Oct.	17 —	20 —	13
5416	Williams	Blyth	260	—	—	—	—	21 —	14
5417	Ann	Burdon	255	—	—	—	—	24 —	17
5418	Earl Grey	Wright	355	—	—	—	—	22 —	15
5419	Amity	Forster	273	—	—	—	—	—	—
5420	Gazelle	Coal	345	—	—	—	—	23 —	16
5421	Jupiter	Newton	223	—	—	—	—	22 —	15
5422	Hunter	Cornforth	265	—	—	—	—	—	—
5423	Barbara	Embleton	286	—	—	—	—	23 —	16
5424	Nancy	Shipley	400	—	—	—	—	24 —	17
5425	York Union	Bell	125	—	Small cargo	Mon. 12 Oct.	No weigher		
5426	New Concord	Dove	254	—	Wed. 14 Oct.	Wed. 14 Oct.	—	22 —	15
5427	Blackbird	Stephenson	262	—	—	—	—	19 —	12
5428	Scotia	King	345	—	—	Frid. 16 Oct.	20 —	24 —	17
5429	Emma	Hall	318	—	—	Wed. 14 Oct.	—	22 —	15
5430	Duke of Wellington	Robinson	315	—	—	—	—	—	—
5431	Æolus	Brown	283	—	—	—	17 Oct.	21 —	14
5432	William & Isabella	Crozier	310	—	—	—	—	24 —	17
5433	Thomas Baker	Burlinson	352	—	—	—	—	—	—
5434	Arno	Robinson	349	—	—	—	—	22 —	15
5435	Junius	Harvey	434	—	—	—	—	28 —	21
5436	Thomas and Nancy	Oates	280	—	—	—	—	21 —	14
5437	Lord Farnham	Purcell	247	—	—	—	—	—	—
5438	Thames	Cock	106	—	Small cargo	Nov. 12 Oct.	16 —	19 —	12
5439	Eleanor	Lamb	193	—	Wed. 14 Oct.	Wed. 14 —	17 —	20 —	13
5440	Elizabeth	Reed	373	—	—	—	—	23 —	16
5441	Ann and Margaret	Morley	394	—	—	—	—	24 —	17
5442	Useful	Emmerson	339	—	—	—	—	—	—
5443	Tynemouth	Fairbairn	397	—	Gas coals not for sale.		No weigher.		
5444	Minerva	Wood	272	—	Wed. 14 Oct.	Wed. 14 —	—	21 —	14
5445	Eliza Ann	Potts	339	—	—	—	—	23 —	16
5446	Wear Packet	Brown	294	—	—	—	—	22 —	15
5447	Alfred	Miller	198	—	—	—	—	21 —	14
5448	Ann	Watt	381	—	—	Frid. 16 —	20 —	26 —	19
4449	Cleveland	Smith	305	—	—	Wed. 14 —	19 —	27 —	20
5450	Lord Stewart	Stoddart	325	—	—	—	—	23 —	16
5451	William and John	Revely	328	—	—	—	—	22 —	15
5452	John	Watkins	325	—	—	—	—	19 —	12
5453	Lambton	Apedaile	270	—	—	—	—	23 —	16
5454	Sisters	Walker	355	—	—	—	—	26 —	19
5455	Supply	Young	339	—	—	—	—	24 —	17
5456	Perseverance	Lowes	265	—	Mon. 19	Mon. 19 —	23 —	29 —	22
5457	Rasselas	Skey	339	—	Wed. 14	Wed. 14 —	19 —	24 —	17
5458	Bransberg	M'Farlane	339	—	—	—	—	27 —	20
5459	Charles Henry	M'Gregor	330	—	—	—	—	24 —	17
5460	West Chirton	Donkin	371	—	—	—	—	22 —	15
5461	Robert and Ann	Hall	280	—	—	—	—	24 —	17
5462	Henry and Elizabeth	Mann	220	—	—	—	—	22 —	15
5463	Rosina	Bell	240	—	—	—	—	23 —	16
5464	Harriette	Johnson	243	—	—	—	No weigher.		
5465	Columbia	Leyton	344	—	—	Frid. 16 —	20 Oct. —	28 —	21
5466	Walker	Irvine	410	—	—	Wed. 14 —	19 —	24 —	17
5467	Boldon	Campbell	352	—	—	—	—	22 —	15
5468	Magnet	Guthrie	307	—	Gas coals not for sale.		No weigher.		
5469	Thames	Granger	202	—	Wed. 14 Oct.	Wed. 14 —	15 Oct. —	19 —	12
5470	Medway	Potts	315	—	—	Mon. 19 —	22 —	27 —	20
5471	Kingston	Pearson	307	—	Gas coals not for sale.		No weigher.		
5472	White	Robinson	299	—	Wed. 14 Oct.	Wed. 14 —	19 Oct.	23 —	16
5473	Elizabeth Sarah	Patteson	391	—	—	—	—	26 —	19
6474	Comet	Lambton	325	—	Frid. 16 —	Frid. 16 —	20 —	—	—
5475	Gallant	Oliver	230	—	—	—	—	22 —	15
5476	Robert and Margaret	Hardy	390	—	—	—	—	28 —	21
5477	Mary	Hutchinson	339	—	—	—	—	26 —	19
5478	Hardwick	Thomason	212	—	—	—	—	24 —	17
5479	Thomasin	Mitchell	344	—	—	—	—	—	—
5480	Sarah	Oxley	339	—	—	—	—	23 —	16
5481	Albion	Lamb	251	—	—	—	—	24 —	17
5482	Nicholas	Kelsey	323	—	—	—	—	27 —	20
5483	Amphitrite	Rogers	272	—	—	—	—	23 —	16
5484	Golden Grove	Moor	424	—	—	Mon. 19 Oct.	22 —	30 —	23
5485	Tyne	Arkley	296	—	—	Frid. ¼ in distress	13 —	24 —	17
5486	Cecily	Robinson	296	—	—	—	20 —	26 —	19
5487	Rhine	Spencely	445	—	—	—	—	27 —	20
5488	Henry	Lambert	310	—	—	—	—	—	—
5489	Nelly	Burne	270	—	—	—	—	24 —	17
5490	Commerce	Hall	360	—	—	—	—	28 —	21
5491	Benton	Middleton	270	—	—	—	—	23 —	16
5492	William	Robinson	310	—	—	—	—	26 —	19
5493	Mina	Syms	212	—	—	—	—	22 —	15
5494	Matilda	Elliott	288	—	—	—	—	27	20
5495	Jarron	Morrison	288	—	—	—	—	24	17
5496	Brothers	Hedger	240	—	—	—	—	—	—
5497	Stantons	Seasely	251	—	—	—	—	—	—
5498	Shakspeare	Fawcus	312	—	—	Mon. 19 Oct.	22 —	28 —	21
5499	Waters	Waters	280	—	—	Frid. 16 —	20 —	24 —	17
5500	Triton	Younghusband	275	—	—	Mon. 19 —	22 —	28 —	21
5501	Starling	Storey	325	—	—	Frid. 16 —	20 —	26 —	19
5502	Times	Elliott	190	—	—	—	—	23 —	16

—	SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrival at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
5503	Alexander	Mann	318	Wed. 7 Oct.	Frid. 16 Oct.	Frid. 16 Oct.	20 Oct.	28 Oct.	21
5504	Edward	Finlayson	265	— — —	— — —	— — —	— — —	26 —	19
5505	Regent	Clark	253	— — —	— — —	— — —	— — —	24 —	17
5506	Vesper	Hutton	386	— — —	— — —	— — —	— — —	29 —	22
5507	Two Brothers	Wylam	275	— — —	— — —	Mon. 19 —	22 —	27 —	20
5508	Eleanor	Thrusby	508	— — —	— — —	Frid. 16 —	20 —	31 —	24
5509	Cluiker	Jackson	259	— — —	— — —	Mon. 19 —	— — —	66 —	19
5510	Æschylus	Dixon	280	— — —	Imported, not for sale	— —	No weigher.		
5511	Preston	Craggs	318	— — —	Frid. 16 Oct.	Frid. 16 Oct.	20 —	26 —	19
5512	Relief	Hagins	225	— — —	— — —	Mon. 19 —	22 —	27 —	20
5513	Liberty	Redman	196	— — —	— — —	Frid. 16 —	20 —	22 —	15
5514	Science	Nicolson	349	— — —	— — —	Mon. 19 —	22 —	28 —	21
5515	Thomas Burdon	Chisholme	222	— — —	— — —	Frid. 16 —	21 —	24 —	17
5516	Placidia	Thompson	288	— — —	— — —	— — —	— — —	26 —	19
8517	William	Thompson	241	— — —	— — —	— — —	— — —	23 —	16
5518	Cleore	Corner	206	— — —	— — —	— — —	— — —	24 —	17
5519	Ditchburn	Brunton	312	— — —	— — —	— — —	— — —	27 —	20
5520	Alster	Smith	294	— — —	— — —	— — —	— — —	— —	—
5521	Owen	Steel	366	— — —	Welch coals	Wed. 14 —	16 —	26 —	9
5522	William	Wilkey	84	— — —	Small cargo	Mon. 12 —	16 —	17 —	10
5523	Ann	Jolie	196	— — —	Imported, not for sale	— —	No weigher.		
5524	Friends' Regard	Granger	225	— — —	ditto	— — —	10 —	14 —	7
5525	Muta	Wood	320	— — —	Frid. 16 Oct.	Frid. 16 Oct.	21 —	27 —	20
5526	Peggy	Slightholm	339	— — —	— — —	— — —	— — —	26 —	19
5527	Zephyrus	Eden	339	— — —	— — —	— — —	— — —	29 —	22
5528	Eaglet	Robinson	190	Thurs. 8 Oct.	— — —	— — —	— — —	24 —	17
5529	Thomas and Mary	Potts	365	— — —	— — —	— — —	— — —	30 —	23
5530	Harmony	Heard	68	— — —	Small cargo	Mond. 12 Oct.	15 —	16 —	8
5531	Susannah	Sharper	339	— — —	Frid. 16 Oct.	Frid. 16 Oct.	21 —	27 —	19
5532	Cropton	Ewling	318	— — —	Mon. 19 —	Mon. 19 —	23 —	30 —	22
5533	Neptune	Burn	215	— — —	Importer's, not for sale	— —	16 —	21 —	13
5534	Henry	Hutchinson	463	— — —	Frid. 16 Oct.	Frid. 16 Oct.	21 —	28 —	20
5535	Elizabeth & Margaret	Reed	290	— — —	— — —	— — —	— — —	27 —	19
5536	Chowley	Watson	318	— — —	— — —	— — —	— — —	— —	—
5537	Allen	Jones	42	— — —	Small cargo	Frid. 9. Oct.	No weigher.		
5538	Quayside	Hall	381	— — —	Frid. 16 Oct.	— 16 —	21 —	28 —	20
5539	Cora	Rennar	397	— — —	— — —	— — —	— — —	24 —	16
5540	Nancy	Winch	437	— — —	— — —	— — —	22 —	31 —	23
5541	Air	Mills	302	— — —	— — —	— — —	— — —	26 —	18
5542	Eliza	Joss	389	— — —	— — —	— — —	— — —	28 —	20
5543	Agenoria	Dolman	408	— — —	— — —	— — —	— — —	— —	—
5544	Braave	Husdell	259	— — —	Mon. 19 Oct.	Mon. 19 Oct.	— — —	26 —	18
5545	Esk	Purvis	134	— — —	Small cargo	Frid. 16 —	— — —	24 —	16
5546	Aid	Crane	275	— — —	Mon. 19 Oct.	Mon. 19 —	— — —	26 —	18
5547	Elizabeth	Dowal	349	— — —	In distress	Frid. 9 —	12 —	17 —	9
5548	Palladium	Middleton	294	— — —	Mon. 19 Oct.	Mon. 19 —	22 —	28 —	20
5549	Charlotte	Wilkinson	365	— — —	— — —	— — —	— — —	— —	—
5550	Tucker	Caithness	328	— — —	— — —	— — —	— — —	— —	—
5551	Camden	Hay	310	— — —	In distress	Frid. 9 Oct.	No weigher.		
5552	Vine	Green	291	— — —	Importer's, not for sale	— —	13 —	17 —	9
5553	Friendship	Love	445	— — —	Mon. 19 Oct.	Mon. 19 Oct.	22 —	28 —	20
5554	Dorothy	Graydon	283	— — —	— — —	— — —	— — —	27 —	19
5555	Carnatic	Watson	572	— — —	— — —	— — —	— — —	3 Nov.	26
5556	Northumbria	Carnaby	339	— — —	— — —	— — —	— — —	29 Oct.	21
5557	Anchor	Brannim	180	— — —	— — —	— — —	— — —	26 —	18
5558	Albion	Pegg	312	— — —	— — —	— — —	23 —	27 —	19
5559	Orient	Watson	336	— — —	— — —	— — —	— — —	30 —	22
5560	Eleanor	Jack	128	— — —	Small cargo	Mon. 12 Oct.	14 —	15 —	7
5561	Rosslyn	Forest, only 100	186	— — —	ditto	— — —	12 —	20 —	12
5562	Providence	Shaw	98	— — —	ditto	— — —	14 —	15 —	7
5563	Bradford	Jamieson	296	— — —	Gas coals, not for sale	— —	13 —	15 —	7
5564	Andus	Turner	121	— — —	Small cargo	Mon. 12 Oct.	16 —	17 —	9
5565	John Dunn	Russell	339	— — —	Gas coals, not for sale	— —	13 —	19 —	11
5566	Isabella Sarah	Lee	148	— — —	Small cargo	Mon. 12 Oct.	16 —	17 —	8
5567	Martha	Auderson	110	— — —	ditto	— — —	16 —	19 —	11
5568	Express	Evans	331	— — —	Mon. 19 Oct.	— 19 —	23 —	29 —	21
5569	Elizabeth and Mary	Gomlay	375	Frid. 9 Oct.	— — —	— — —	— — —	30 —	22
5570	Hope	Pegg	105	— — —	Small cargo	Wed. 14 Oct.	16 —	17 —	7
5571	John and Amelia	Acester	116	— — —	ditto	Mon. 12 —	16 —	19 —	10
5572	Isabella	Watson	196	— — —	Mon. 19 Oct.	— 19 —	No weigher.		
5573	Alexander	William Latchin	500	— — —	— — —	— — —	23 —	30 —	22
5574	Chancellor	Knox	283	— — —	Gas coals, not for sale	— —	No weigher.		
5575	Eliza	Manning	84	— — —	Small cargo	Mon. 12 Oct.	14 —	15 —	6
5576	Truine	Walker	347	Sat. 10 Oct.	Mon. 19 Oct.	— 19 —	23 —	27 —	17
5577	Albion	Pullock	254	— — —	— — —	Wed. 21 —	23 —	28 —	18
5578	Gosforth	Ewes	347	— — —	— — —	Mon. 19 —	23 —	28 —	28
5579	Stephen Wright	Reed	508	— — —	— — —	— — —	— — —	31 —	21
5580	Atlantic	Graham	328	Sun. 11 Oct.	— — —	— — —	— — —	28 —	17
5581	Sultan	Peacock	318	— — —	— — —	— — —	— — —	27 —	16
5582	Osprey	Turner	310	— — —	— — —	— — —	— — —	— —	—
5583	Emma	Jackson	381	— — —	— — —	Wed. 21 Oct.	22 —	3 Nov.	23
5584	Hannah	Walker	466	— — —	— — —	Mon. 19 —	23 —	29 Oct.	18
5585	Triumph	Clark	304	— — —	— — —	— — —	— — —	27 —	16
5586	Brilliant	Ewens	304	— — —	Importer's, not for sale	— —	16 —	21 —	10
5587	Blakiston	Irwine	275	— — —	Woolwich Dock-yard.				
5588	Buenos Ayres Packet	Hall	310	— — —	Mon. 19 Oct.	Mon. 19 Oct.	23 —	27 —	16
5589	Fenwick	Thompson	397	— — —	— — —	— — —	— — —	29 —	18
5590	Resolution	Marwood	265	— — —	— — —	— — —	— — —	27 —	16
5591	Hermione	Hare	339	— — —	— — —	— — —	19 —	23 —	12
5592	Rhoda	Calbert	186	— — —	— — —	— — —	23 —	27 —	16
5593	Prince of Wales	Downey	371	— — —	Gas coals, not for sale	— —	16 —	19 —	8
5594	Canada	Nicolson	420	— — —	Mon. 19 Oct.	Wed. 21 Oct.	22 —	2 Nov.	22
5595	Willing Mind	Simpson	204	Mon. 12 Oct.	— —	— —	22 —	29 Oct.	17
5596	Clyde	Stephenson	275	— — —	— — —	Mon. 19 —	23 —	28 —	16

(continued)

—	SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrival at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
5597	Isabella	Smyth	220	Mon. 12 Oct.	Mon. 19 Oct.	Mon. 19 Oct.	20 Oct.	23 Oct.	11
5598	Charles and Thomas	Frost	128	—	Small cargo	Wed. 14 —	19 —	22 —	10
5599	Union	Cleit	250	—	Mon. 19 Oct.	Mon. 19 —	23 —	27 —	15
5600	Neptune	Jackson	201	—	—	Wed. 21 —	24 —	28 —	16
5601	Hibernia	Sharpe	225	—	—	Mon. 19 —	23 —	26 —	14
5602	Barnsley	Matchem	110	—	Small cargo	Frid. 16 —	20 —	21 —	9
5603	Harper	Clack	220	—	Mon. 19 Oct.	Wed. 21 —	23 —	28 —	16
5604	Clifton	Cressy	110	—	—	—	20 —	21 —	9
5605	Allendale	Bambrough	395	—	—	—	24 —	30 —	18
5606	Ruby	Fell	344	—	—	Mon. 19 —	23 —	31 —	19
5607	Jane and Sarah	Goymer	421	—	—	—	24 —	31 —	19
5608	Phœnix	Wheatley	344	—	—	—	23 —	29 —	17
5609	Joseph Pease	Purdy	375	—	—	—	24 —	2 Nov.	21
5610	Frankfort	Robinson	286	—	—	—	24 —	28 Oct.	16
5611	Jane	Devey	246	—	—	—	— —	29 —	17
5612	Ann's Resolution	Blair	238	—	—	—	— —	30 —	18
5613	Ann	Storey	250	—	—	—	— —	29 —	17
5614	Thompson	Gardner	365	—	—	—	— —	— —	—
5615	Plover	Thompson	328	—	—	—	— —	— —	—
5616	Nixon	Morris	340	—	—	—	— —	28 —	16
5617	John and James	Storm	255	—	—	—	— —	30 —	18
2618	Chester	Mellenby	230	—	—	—	— —	— —	—
5619	Diligence	Gibson	280	—	—	—	— —	31 —	19
5620	Profit and Loss	Rate	445	—	—	Wed. 21 —	— —	3 Nov.	22
5621	Margaret	Brown	371	—	Wed. 21 Oct.	—	26 —	— —	—
5622	Nailer	Bateman	233	—	—	—	— —	29 Oct.	17
5623	Britannia	Needham	312	—	—	—	— —	30 —	18
5624	Neptune	Wallace	424	—	—	—	— —	31 —	19
5625	Spring	Smith	413	—	—	—	— —	2 Nov.	21
5626	Anne	Cook	180	—	—	—	— —	29 Oct.	17
5627	Catherine	Glasgow	300	—	—	—	— —	2 Nov.	21
5628	Great Britain	Richardson	220	—	—	Frid. 23 —	27 —	31 Oct.	19
5629	Alston	Ditto	345	—	—	Wed. 21 —	26 —	29 —	17
5630	Sprightly	Johnson	307	—	—	—	— —	2 Nov.	21
5631	Louisa	Fose	130	Tues. 13 Oct.	Small cargo	Frid. 16 —	19 —	19 Oct.	6
5632	Mars	Stephens	339	—	Wed. 21 Oct.	Wed. 21 —	26 —	31 —	19
5633	Ann	Richardson	331	—	—	Frid. 23 —	28 —	4 Nov.	22
5634	Broderick	Ditto	445	—	—	—	26 —	31 Oct.	18
5635	Wansbeck	Sinnett	424	—	—	—	— —	— —	—
5636	Friends	Bedlington	339	—	—	—	— —	— —	—
5637	Friendship	Nisbet	384	—	—	—	— —	3 Nov.	21
5638	Blackett and Ridley	Stewart	310	—	—	—	— —	30 Oct.	17
5639	Golden Grove	Nicolson	307	—	—	—	— —	— —	—
5640	Percival	Mury	381	—	—	—	— —	4 Nov.	22
5641	Astley	Beaumont	352	—	—	—	— —	2 —	20
5642	Commerce	Thornton	288	—	Gas coals, not for sale		19 —	23 Oct.	10
5643	Phesdo	Elliott	289	—	Wed. 21 Oct.	Wed. 21 Oct.	26 —	31 —	18
5644	Amora	Dawson	320	—	—	—	— —	29 —	16
5645	Matura	Dunn	316	—	—	—	— —	30 —	17
5646	William	Kellat	344	—	—	—	— —	2 Nov.	20
5647	Mary	Williamson	299	—	—	—	— —	29 Oct.	16
5648	Zillah	Oliver	320	—	—	—	— —	31 —	18
5649	Galena	Jeffries	312	—	—	—	— —	30 —	17
5650	Wellington	Harland	305	—	—	—	— —	31 —	18
5651	Asia	Miller	409	—	—	—	— —	— —	—
5652	Columbus	Gray	341	—	—	—	28 —	— —	—
5653	Atlas	Malabar	227	—	—	Frid. 23 —	— —	— —	—
5654	Kitty	Rippon	225	—	—	—	— —	— —	18
5655	Loyal Standard	Grey	291	—	—	Wed. 21 —	26 —	29 —	16
5656	Æolus	Townsend	259	—	—	—	— —	31 —	18
5657	Lavinia	Carr	249	—	—	—	— —	29 —	16
5658	Larpool	Nesbitt	331	—	—	—	27 —	31 —	18
5659	Ariadne	Cleet	254	—	—	—	— —	— —	—
5660	Edgar	Davison	466	—	—	Frid. 23 —	28 —	4 Nov.	22
5661	Integrity	Soulsby	339	—	Importer's, not for sale		17 —	21 Oct.	8
5662	Ellen	Jamieson	402	—	Wed. 21 Oct.	Wed. 21 Oct.	27 —	3 Nov.	21
5663	Valenia	Davidson	339	—	—	—	— —	2 —	20
5664	Harrisons	Wood	424	—	—	—	— —	2 —	—
5665	Susannah	Howe	304	—	—	—	— —	— —	—
5666	Attaliah	Storm	270	—	—	—	— —	4 —	22
5667	Earl Strathmon	Hudson	249	—	—	—	— —	31 Oct.	18
5668	Isabella	Rankin	233	—	—	—	— —	— —	—
5669	Antelope	Bell	471	—	—	—	— —	— —	—
5670	Silva	Barrett	195	—	—	—	— —	— —	—
5671	Bonitas	Reed	328	—	—	—	— —	30 —	17
5672	Active	Henderson	291	—	—	—	— —	31 —	18
5673	Sedulous	Reed	335	—	—	—	— —	2 Nov.	20
5674	Hutchinson	Hutchinson	347	—	—	—	— —	31 Oct.	18
5675	Ann	Smith	106	—	Small cargo	Frid. 16 —	20 —	20 —	7
5676	Cumberland	Stokoe	63	—	—	—	16 —	16 —	3
5677	Wynyard	Hettonstall	53	—	—	—	19 —	19 —	6
5678	Margaret	Lightford	153	—	Gas coals, not for sale		No weigher.		
5679	Orient	Blues	318	—	Wed. 21 Oct.	Frid. 23 Oct.	28 Oct.	2 Nov.	20
5680	Gilsland	Thompson	270	—	—	Wed. 21 —	No weigher.		
5681	Atlas	Brown	339	—	—	—	27 Oct.	31 Oct.	18
5682	Thomas and Nancy	Clerk	270	—	—	—	— —	30 —	17
5683	Thomas and Robert	Nicolson	384	—	—	Frid. 23 —	28 —	4 Nov.	22
5684	Myrtle	Spout	330	—	—	Wed. 21 —	27 —	29 Oct.	16
5685	Tyne	Cowen	106	—	Small cargo	Mon. 19 —	24 —	26 —	13
5686	Thalia	Reynolds	315	—	Frid. 23 Oct.	Frid. 23 —	28 —	2 Nov.	20
5687	Flora	Thompson	240	—	—	—	— —	— —	—
5688	Union	Hudson	265	—	Gas coals, not for sale		No weigher.		
5689	Resolution	Davis	283	—	Frid. 23 Oct.	Frid. 23 Oct.	28 Oct.	3 Nov.	21
5690	Fortitude	Brown	250	—	—	—	— —	31 Oct.	18

—	SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrival at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
5691	Twins	Brown	254	Tues. 13 Oct.	Friday 23 Oct.	Friday 23 Oct.	28 Oct.	2 Nov.	20
5692	N. Y. Z.	Lightfoot	424	—	—	—	—	4 —	22
5693	Esk	Grey	471	—	—	¼ sold in distress, 14 Oct.	16 —	28 Oct.	15
5694	Harmony	Mills	296	—	—	Frid. 23	28 —	2 Nov.	20
5695	Amicus	Heron	87	—	Small cargo	Frid. 16	19 —	19 —	6
5696	Grantham	Ripon	371	—	Friday 23 Oct.	Frid. 23	28 —	31 —	18
5697	Progress	Woodhouse	125	—	Importer's, not for sale	—	23 —	23 —	10
5698	Tiger	Nicolson	442	—	In distress	Wed. 21	26 —	30 —	17
5699	Knaresbro'	Stead	160	—	Frid. 23 Oct.	Frid. 23	— —	31 —	18
5700	Spring	Merton	217	—	—	—	28 —	31 —	—
5701	Sterling	Hunter	254	—	Importer's, not for sale	—	17 —	20 —	7
5702	Sarah	Hetherington	249	—	Frid. 23 Oct.	Frid. 23	28 —	3 Nov.	21
5703	Antelope	Lanylands	325	—	—	—	— —	2 —	20
5704	Bee	Jobling	214	—	—	—	No weigher.		
5705	Fort Augustus	Ineprey	299	—	—	—	28 Oct.	4 —	22
5706	Doubtful	Lowes	310	—	—	—	— —	3 —	21
5707	Phœbe	Robson	302	—	Gas coals not for sale		No weigher.		
5708	Renown	Dennison	257	—	Frid. 23 Oct.	Frid. 23	28 Oct.	31 —	18
5709	Nicholson	Back	315	—	—	—	— —	— —	—
5710	Vestal	Taylor	402	—	—	—	— —	5 —	23
5711	Frederick	Backhouse	196	—	—	—	— —	2 —	20
5712	Regent	Benfield	402	—	—	—	28 —	4 —	22
5713	John	Burnet	328	—	—	—	— —	3 —	21
5714	Penelope	Bainbridge	222	—	Gas coals, not for sale		No weigher.		
5715	Test	Booth	363	—	Frid. 23 Oct.	Frid. 23 Oct.	28 Oct.	3 —	21
5716	Alonzo	Soulsby	222	—	—	—	— —	30 —	17
5717	George the Fourth	Anderson	351	Wed. 14 Oct.	—	—	— —	2 —	19
5718	Nancy	Johnson	445	—	Gas coals, not for sale		19 —	27 —	13
5719	Princess Victoria	Moody	124	—	Small cargo	Frid. 16 Oct.	22 —	24 —	10
5720	Blenheim	Coxon	349	—	In distress	Frid. —	19 —	23 —	9
5721	Pyrenees	Birt	430	—	Welch coals	Frid. —	22 —	30 —	16
5722	Supply	Hall	318	Thurs. 15 Oct.	Frid. 23 Oct.	Frid. 23	29 —	4 —	20
5723	Voyager	Curzam	365	—	Welch coals	Frid. 16	22 —	31 —	16
5724	Ann Maria	Milne	340	—	Ditto	Mon. 19	20 —	7 —	23
5725	Autumn	Gains	293	—	Frid. 23 Oct.	Frid. 23	29 —	3 —	19
5726	Offerton	Clarke	241	—	—	—	— —	— —	—
5727	Eden	Andrews	350	—	—	—	— —	5 —	21
5728	Effort	Taylor	330	—	Welch coals	Mon. 19	24 —	30 —	16
5729	Hunter	Peascod	84	—	Small cargo	Wed. 21	27 —	27 —	12
5730	Fountain	Ainsley	209	—	Frid. 23 Oct.	Frid. 23	29 —	2 —	18
5731	Union	Lodge	217	Thurs. 15 Oct.	Gas coals, not for sale		No weigher.		
5732	Royalist	Elliott	306	—	Frid. 23 Oct.	Frid. 23 Oct.	29 Oct.	5 —	26
5733	Young Regulus	Pippett	336	—	Importer's, not for sale		No weigher.		
5734	Amphitrite	Scott	310	—	Frid. 23 Oct.	Frid. 23 Oct.	29 Oct.	— —	21
5735	Coronation	Elliott	180	—	—	—	— —	30 Oct.	16
5736	Merton	Bateman	110	—	Small cargo	Mon. 19 —	22 —	23 —	8
5737	Collins	Granger	160	—	Welch coals	Frid. 16 —	21 —	27 —	12
5738	Ringdove	Garden	159	—	Frid. 23 Oct.	Frid. 23 —	29 —	31 —	15
5739	Choice	Whale	365	Frid. 16 Oct.	Welch coals	Mon. 19 —	21 —	29 —	13
5740	Esther	Dodgson	100	—	Small cargo	Frid. 16 —	No weigher.		
5741	Jane Air	Air	342	—	Frid. 23 Oct.	Frid. 23 —	29 Oct.	3 Nov.	18
5742	Good Agreement	Clarke	169	—	Woolwich Dockyard.	Mon. 19 —	No weigher.		
5743	Adeona	Rounding	148	—	Frid. 23 Oct.	Frid. 23 —	29 Oct.	31 —	15
5744	Nymph	Gowland	132	Sat. 17 Oct.	—	—	No weigher.		
5745	Waterhouse	Carter	304	—	—	—	29 Oct.	5 —	19
5746	Rainbow	Harrison	296	—	—	—	— —	3 —	17
5747	Eleanor	Watson	204	—	—	—	— —	2 —	16
5748	Phœbe	Pearson	239	—	—	—	— —	— —	—
5749	Levant	Booth	318	—	—	—	— —	— —	—
5750	Ann	Watson	212	—	—	—	— —	— —	—
5751	Amethyst	Palmer	300	—	—	—	— —	4 —	18
5752	Mary	Lunn	307	—	—	—	— —	— —	—
5753	James	Wilson	318	—	—	—	— —	— —	—
5754	Resource	Young	196	—	—	—	— —	30 Oct.	14
5755	Ceres	Barnes	312	—	—	—	— —	5 Nov.	19
5756	Patriot	Robinson	275	Sund. 18 Oct.	—	—	— —	3 —	16
5757	Barrington	Smith	310	—	—	—	— —	— —	—
5758	Pomona	Garhill	265	—	—	—	— —	4 —	17
5759	Jane	Humphrey	360	—	—	—	— —	5 —	18
5760	Medora	Wright	190	—	—	—	30 —	31 —	13
5761	Duke of Wellington	Raven	254	—	—	—	— —	4 —	17
5762	Palladium	Fleming	339	—	—	—	— —	3 —	16
5763	Friends	Stodart	296	Tues. 20 Oct.	—	—	— —	5 —	—
5764	Elizabeth	Blaky	212	—	—	—	— —	4 —	15
5765	Harmony	Potts	389	—	—	—	— —	—	—
5766	Grace	Saunders	30	—	Mon. 26 Oct.	Mon. 26 Oct.	24 —	24 Oct.	1
5767	Bywell	Simpson	333	Wed. 21 Oct.	—	—	30 —	6 —	16
5768	Ann	Sheration	190	Thurs. 22 —	—	—	— —	2 —	11
5769	Britannia	Gibson	339	—	—	—	— —	3 —	12
5770	Goldfinch	Palker	345	—	—	—	— —	7 —	16
5771	Friends	Jurefit	259	—	—	—	— —	4 —	13
5772	Riga	Pattison	265	—	—	—	— —	— —	—
5773	Swift	Downey	236	—	—	Wed. 28 —	2 Nov.	6 —	15
5774	Cynthia	Turner	320	—	—	Mon. 26 —	30 Oct.	4 —	13
5775	Draper	Richards	85	—	Small cargo	Frid. 23 —	— —	31 —	9
5776	Mary	Wilkinson	310	Frid. 23 Oct.	Mon. 26 Oct.	Mon. 26 —	26 —	29 —	6
5777	Maria	Rumbly	405	Sat. 24 —	—	—	30 —	5 —	12
5778	Kinon	Frost	336	—	—	—	— —	7 —	14
5779	Amphitrite	Buckham	402	—	—	Wed. 28 —	2 Nov.	11 —	18
5780	Star	Wardle	339	—	—	Mon. 26 —	30 Oct.	5 —	12
5781	Thomas and Mary	Dolman	280	—	—	Wed. 28 —	2 Nov.	9 Nov.	16
5782	Mary Anna	Dunn	331	—	—	Mon. 26 —	30 Oct.	6 —	13

(continued)

—	SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrival at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
5783	Nereus	Barnicle	280	Sat. 24 Oct.	Mon. 26 Oct.	Mon. 26 Oct.	30 Oct.	3 Nov.	10
5784	Robinson	Cook	241	—	—	—	—	—	—
5785	Abbotsford	Nesfield	270	—	—	Wed. 28 —	2 Nov.	6 —	13
5786	Lady Combermere	Cook	355	Sun. 25 —	—	Mon. 26 —	30 —	4 —	10
5787	Welcome	Bell	394	—	—	—	31 —	7 —	13
5788	Phœbe	Hood	394	—	—	—	—	5 —	11
5789	Ashœa	Aires	130	—	—	—	29 —	29 Oct.	4
9790	Leander	Moorson	265	—	—	—	31 —	6 Nov.	12
5791	Ferret	Buyers	144	—	—	Wed. 28 —	2 Nov.	4 —	10
5792	Blessing	Robinson	275	—	—	Mon. 26 —	31 Oct.	6 —	12
5793	Alfred	Maine	180	—	—	Wed. 28 —	2 Nov.	2 —	8
5794	Thomas & Margaret	Williamson	280	—	—	Mon. 26 —	31 Oct.	5 —	11
5795	Burlington	Gibson	447	—	—	—	—	7 —	13
5796	Mary	Brown	313	—	—	Mon. 2 Nov.	5 Nov.	13 —	19
5797	Neva	Brevey	344	—	—	Mon. 26 Oct.	31 Oct.	7 —	13
5798	Mentor	Morton	424	—	—	—	—	5 —	11
5799	Pilgrim	Heslop	230	—	—	—	—	4 —	10
5800	Hebe	Thompson	408	—	—	—	No weigher.		
5801	Elizabeth	Stobbs	424	—	—	—	31 Oct.	7 —	13
5802	Paus	Lotherington	376	—	—	—	—	—	—
5803	Bell and Ann	Ford	483	—	—	—	—	6 —	12
5804	Mould	Morris	331	—	—	—	—	—	—
5805	Harmony	Rawson	270	—	—	—	—	4 —	10
5806	Retrieve	Booth	424	—	—	—	—	7 —	13
5807	James	Cowie	341	—	—	—	—	6 —	12
5808	Thomas Gales	Daunton	323	—	—	—	—	—	—
5809	Castlereagh	Lumsdon	347	—	—	—	—	—	—
5810	James and Ann	Brown	424	—	—	—	—	—	—
5811	Margaret	Bell	386	—	—	—	—	7 —	13
5812	Lord Tynemouth	Sharp	230	—	—	—	28 —	31 Oct.	6
5813	Elizabeth	Hunter	291	—	—	—	31 —	6 Nov.	12
5814	Mary	Coxon	286	—	—	Wed. 28 —	2 Nov.	—	—
5815	Galena	Cooper	84	—	—	Mon. 26 —	No weigher.		
5816	Thomas and Betsey	Chirton	275	—	—	—	31 Oct.	3 —	9
5817	Leslie Ogilvey	John	339	Mon. 26 —	—	Wed. 28 —	2 Nov.	10 —	15
5818	Elswick	Clark	106	—	—	—	—	3 —	8
5819	Brahmin	Stewart	93	—	—	—	—	2 —	7
5820	Helen	Mearson	50	—	—	Mon. 26 —	30 Oct.	30 Oct.	4
5821	Concord	Gardner	299	—	Wed. 28 —	Frid. 30 —	2 Nov.	9 Nov.	11
5822	Peggy	Thompson	487	—	—	—	—	11 —	16
5823	Diamond	Miller	235	—	—	Wed. 28 —	—	7 —	12
5824	Venus	Churnside	259	—	—	—	No weigher.		
5825	Wesloe	Gillis	424	—	—	—	2 Nov.	12 —	17
5826	Hebe	Kidman	270	—	—	Mon. 2 Nov.	5 —	14 —	19
5827	Matthew and Ann	Hutchinson	280	—	—	Wed. 28 Oct.	2 —	9 —	11
5828	Syren	Whitehouse	315	—	—	—	—	7 —	12
5829	Pursuit	Fate	344	—	—	—	—	—	—
5830	Edward Charleton	Morrison	352	—	—	—	No weigher.		
5831	Advance	Park	371	—	—	—	2 Nov.	7 —	—
5832	Calista	Coates	339	—	—	—	—	—	—
5833	Taragon	Miller	302	—	—	—	—	—	—
5834	Ampulla	Stead	244	—	—	—	—	5 —	10
5835	Thomas	Hutchinson	283	—	—	—	—	6 —	11
5836	Lord Melville	Knowles	315	—	—	—	No weigher.		
5837	Duke of Clarence	Brown	368	—	—	—	2 —	6 —	11
5838	Industry	Wood	333	—	—	—	—	7 —	12
5839	John	Wake	116	—	—	Frid. 30 —	5 —	6 —	11
5840	Mariner	Collie	360	—	—	Wed. 23 —	2 —	11 —	16
5841	Heart of Oak	Clark	408	—	—	—	—	—	—
5842	Victoria	Dunn	371	—	—	—	29 Oct.	2 —	7
5843	Ruth	Cothergill	424	—	—	—	2 Nov.	13 —	18
5844	Loyalty	Brougham	270	—	—	—	—	7 —	12
5845	Lapwing	Frost	320	—	—	—	—	9 —	14
5846	Commerce	Chapman	275	—	—	—	—	7 —	12
5847	Jane Kay	Richmond	339	—	—	—	—	11 —	16
5848	Mellona	Mooris	442	—	—	—	—	10 —	15
5849	Streatham Castle	Gales	360	—	—	—	—	9 —	14
5850	Thornley	Cuthbertson	373	—	—	—	—	7 —	12
5851	Cliofred	Blackden	424	—	—	—	—	9 —	14
5852	Jane	Hillary	373	Tues. 27 —	—	—	—	—	13
5853	Cleveland	Mill	42	—	—	—	30 Oct.	30 Oct.	3
5854	Ford	M'Ray	339	—	—	—	2 Nov.	7 Nov.	11
5855	Bridget	Needham	288	—	—	—	—	—	—
5856	Treat	Meriatt	434	—	—	Frid. 30 —	—	10 —	14
5857	Integrity	Kew	310	—	—	Wed. 28 —	—	7 —	11
5858	Robert	Alnwick	291	—	—	—	—	9 —	13
5859	Essay	Ramsey	315	Wed. 28 —	Frid. 30 —	Frid. 30 —	3 —	10 —	—
5860	Argo	Cook	330	Thurs. 29 —	—	—	—	7 —	9
5861	Providence	Elliott	318	—	—	—	—	—	—
5862	Hilton	Thirlwall	360	—	—	—	—	—	13
5863	Hand of Providence	Park	376	—	—	—	—	9 —	—
5864	Hector	Kidman	381	—	—	—	—	12 —	13
5865	Thames	Hill	63	—	—	—	6 —	6 —	8
5866	Quebec Packet	Buck	283	—	—	—	3 —	7 —	9
5867	John	Crish	323	—	—	—	—	9 —	11
5868	Jane	Moffit	280	—	—	—	—	6 —	8
5869	Pailey	Meldrum	324	—	—	—	—	9 —	11
5870	Prompt	Lodge	328	—	—	—	—	—	—
5871	Marshall	Venus	373	—	—	—	—	11 —	13
5872	Heron	Spraggon	371	—	—	—	—	—	—
5873	Robert and Ann	Fairburn	339	—	—	—	—	7 —	9
5874	Gratitude	Thompson	275	—	—	—	—	—	—
5875	Zaida	Harrison	344	—	—	—	—	10 —	12
5876	Three Sisters	Walker	381	—	—	—	—	11 —	13

—	SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrived at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
5877	Liberty	Lisk	270	Thur. 29 Oct.	Frid. 30 Oct.	Mon. 2 Nov.	5 Oct.	13 Nov.	15
5878	Hero	Turzell	219	—	—	Frid. 30 Oct.	2 —	6 —	8
5879	Neptune	Dainton	826	—	—	—	— —	9 —	11
5880	Stamfordham	Herring	881	—	—	—	— —	11 —	13
5881	Martha	Chapman	285	—	—	—	3 Nov.	7 —	9
5882	Ajax	Storey	466	—	—	Mon. 2 Nov.	5 —	12 —	14
5883	Brothers	Wilson	243	—	—	Frid. 20 Oct.	3 —	7 —	9
5884	Avon	Lodge	435	—	—	—	— —	11 —	13
5885	Mary	Leitch	352	—	—	—	— —	— —	—
5886	Seven Brothers	Elder	482	—	—	—	4 —	12 —	14
5887	Robert and Ellen	Gray	340	—	—	—	— —	11 —	13
5888	Mary Young	Mather	381	—	—	—	— —	— —	—
5889	Coatham	Bell	445	—	—	—	— —	10 —	12
5890	Liverpool	Davison	265	—	—	—	— —	— —	—
5891	Ellison	Hopper	137	—	—	Mon. 2 Nov.	5 —	7 —	9
5892	Ann	Fisher	100	—	Small cargo	—	No Weigher.		
5893	Return	Pearson	270	—	Frid. 30 Oct.	Frid. 30 Oct.	4 Nov.	6 —	8
5894	Emerald	Corrigill	386	—	—	—	— —	13 —	15
5895	Samaritan's Hope	Stormont	291	—	—	—	— —	11 —	13
5896	Progress	Turnbull	300	—	—	—	— —	9 —	11
5897	Hotspur	Hindhaugh	336	—	—	—	— —	11 —	13
5898	Rebecca	Middleton	360	—	—	—	— —	12 —	14
5899	Doris	Watson	339	—	—	—	— —	10 —	12
5900	Gem	Crozier	427	—	—	—	— —	— —	—
5901	Ruby	Sibbald	365	—	—	—	— —	— —	—
5902	Ovis	Graden	365	—	—	—	— —	7 —	9
5903	Douglas	Hambly	424	—	—	—	— —	11 —	13
5904	Ellen	Trattles	281	—	—	—	— —	— —	—
5905	Ruby	Dodds	254	—	—	—	— —	7 —	9
5906	Ann	Lambton	328	—	—	—	— —	10 —	12
5907	Success	Graham	373	—	—	—	No Weigher.		
5908	Baltic	Laorick	310	—	—	—	5 Nov.	9 —	11
5909	Mary	Revely	312	—	—	—	— —	— —	—
5910	Jamieson's	Lucy	397	—	—	Mon. 2 Nov.	5 —	12 —	13
5911	Isabella	Hogg	293	—	—	Frid. 30 Oct.	4 —	7 —	9
5912	Weser	Clibam	381	—	—	—	— —	9 —	11
5913	Orient	Budie	371	—	—	—	— —	10 —	12
5914	Busy	Bond	210	—	—	—	— —	7 —	9
5915	William	Hall	270	—	—	—	5 —	11 —	13
5916	Venus	Budie	342	—	—	—	— —	13 —	15
5917	Langley	Mell	345	—	—	—	— —	7 —	9
5918	Pactola	M'Intosh	400	—	—	—	— —	10 —	12
5919	Robert	Grey	296	—	—	—	No Weigher.		
5920	Catherine Ann	Anderson	304	—	—	—	5 Nov.	7 —	9
5921	Alderman	Wood	325	—	—	—	— —	10 —	12
5922	Tiber	Foreman	307	—	—	—	— —	12 —	14
5923	Hebe	M'Kay	329	—	—	—	— —	— —	—
5924	James	Wilson	296	—	Mon. 2 Nov.	Mon. 2 Nov.	— —	11 —	13
5925	Perseverance	Hogg	275	—	—	—	— —	— —	—
5926	Lady Stewart	Moher	344	—	—	Wed. 4 —	9 —	14 —	16
5927	Nancy	Washington	410	—	—	Mon. 2 —	5 —	12 —	14
5928	Benwell	Moody	106	—	—	—	9 —	11 —	13
5929	Atalanta	Procter	230	—	—	—	No Weigher.		
5930	Grace	Dixon	347	—	—	—	5 Nov.	12 —	14
5931	Cosmopolite	Pearson	212	—	—	—	— —	11 —	13
5932	King William	Bedlington	410	—	—	—	— —	14 —	16
5933	Hawk Packet	Scotland	296	—	—	—	— —	11 —	13
5934	William	Hunter	153	—	—	—	— —	7 —	9
5935	Sisters	Milburn	294	—	—	—	6 —	11 —	13
5936	Acorn	Donnison	280	—	—	—	— —	9 —	11
5937	Gemini	Cokerill	402	—	—	Wed. 4 —	9 —	13 —	15
5938	Star	White	360	—	—	Mon. 2 —	6 —	17 —	19
5939	Liddell	Shepherd	352	—	—	—	6 —	11 —	13
5940	Mars	Warden	371	—	—	Wed. 4 —	9 —	14 —	16
5941	Perfection	Nixon	365	—	—	Mon. 2 —	6 —	13 —	15
5942	Edward	Foy	349	—	—	Wed. 4 —	9 —	— —	—
5943	Henry and Harriet	Lawson	336	—	—	Mon. 2 —	6 —	12 —	14
5944	Elizabeth	Postgate	352	—	—	—	— —	13 —	15
5945	Mary	Hogg	413	—	—	—	— —	12 —	14
5946	Sidney Packet	Hodgson	209	—	—	—	— —	10 —	12
5947	Argus	Smith	350	—	—	—	— —	12 —	14
5948	Friends	Brown	220	—	—	—	— —	9 —	11
5949	William and Ann	Lewis	323	Frid. 30 Oct.	—	—	— —	10 —	11
5950	Sarah	Hall	291	—	—	—	7 —	14 —	15
5951	Margaret	Fletcher	110	—	—	—	5 —	5 —	6
5952	Dorothy Cook	Gray	424	—	—	Frid. 6 —	12 —	18 —	19
5953	Arcade	Wilson	285	—	—	Mon. 2 —	7 —	12 —	13
5954	Bessy Bruly	Trim	339	—	—	—	— —	14 —	15
5955	Navus	Dixon	318	—	—	—	— —	11 —	12
5956	Corinthian	Clark	360	—	—	—	— —	13 —	14
5957	Poland	Embleton	312	—	—	—	— —	12 —	13
5958	John White	Rochester	300	—	—	—	— —	13 —	14
5959	William	Smith	270	—	—	—	— —	11 —	12
5960	Williams	Hornsby	270	—	—	—	— —	12 —	13
5961	Jasper	Mitcalfe	280	—	—	—	— —	13 —	14
5962	Pedestrian	Ogle	384	—	—	—	— —	14 —	15
5963	Brotherly Love	Reay	360	—	—	Wed. 24 —	9 —	— —	—
5964	Nimrod	Robinson	258	—	—	Mon. 2 —	7 —	11 —	12
5965	Sally	Tate	254	—	—	—	— —	12 —	13
5966	Navigator	Barker	339	—	—	Wed. 24 —	9 —	16 —	17
5967	Moore	Moore	296	—	—	Mon. 2 —	7 —	12 —	13
5968	Active	Heik	424	—	—	—	— —	16 —	17
5969	Hilton Castle	Spence	286	—	—	—	— —	11 —	12
5970	Minerva	Shipley	392	—	—	—	— —	13 —	14

—	SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrival at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
5971	Magnet	Guthrie	307	Frid. 30 Oct.	Mon. 2 Nov.	Mon. 2 Nov.	No weigher.		
5972	Victoria	Hetherington	364	–	–	–	7 –	14 Nov.	15
5973	Stanton	Wright	220	–	–	Wed. 24	9 –	–	–
5974	Magdelina	Nicolson	424	–	–	–	–	–	–
5975	Aratus	Minto	328	–	–	Mon. 2	7 –	13 –	14
5976	Atalanta	Robinson	371	–	–	–	–	14 –	15
5977	John Stafford	Richardson	345	–	–	–	–	11 –	12
5978	Bowes	Patteson	384	–	–	–	–	16 –	17
5979	Arno	Hogg	339	–	–	–	–	12 –	13
5980	Darlington	Bell	254	–	–	–	–	–	–
5981	Sunnyside	Patteson	302	–	–	–	9 –	14 –	15
5982	Sackville	Matthews	488	–	–	–	–	21 –	22
5983	Amphitrite	Armstrong	498	–	–	–	–	16 –	17
5984	Vine	Hunter	331	–	–	–	–	13 –	14
5985	Mary Ann & Isabella	Moore	254	–	Wed. 4 Nov.	Wed. 4	–	–	–
5986	Emery	Husband	220	–	–	–	–	14 –	15
5987	Woodpark	Whitehead	275	–	Importer's not for sale		3 –	7 –	8
5988	William Wilberforce	Pethy	222	–	Wed. 4 Nov.	Wed. 4 Nov.	No weigher.		
5989	Mars	Bewicke	466	–	–	Frid. 6 –	11 –	21 –	22
5990	Joe Anderson	Thompson	490	–	–	Wed. 4 –	9 –	18 –	19
5991	Eliza	Usher	349	–	–	–	–	17 –	18
5992	Fortitude	Moatt	156	–	–	–	–	14 –	15
5993	Spring	Lishman	174	–	–	–	–	12 –	13
5994	Staindrop	Aldridge	347	–	–	–	–	14 –	15
5995	Thomas	Potts	360	–	–	–	–	13 –	14
5996	Great Britain	Thompson	325	–	–	–	–	–	–
5997	Autumn	Dove	201	–	–	–	–	11 –	13
5998	Liberia	Fishweek	339	–	–	–	–	14 –	15
5999	Hunter	Dodd	238	–	–	–	–	12 –	13
6000	Robert	Lettson	116	–	–	–	5 –	6 –	7
6001	Jane Lunn	Loney	310	–	–	–	9 –	14 –	13
6002	Adventure	Sheriff	339	–	–	–	–	16 –	17
6003	Vigilant	Spence	371	–	–	–	–	13 –	14
6004	Treindon	Lambton	368	–	–	–	–	14 –	15
6005	Ark	Clarke	240	–	–	–	–	12 –	13
6006	Mary and Dorothy	Booth	371	–	–	–	–	13 –	14
6007	Frances Ann	Harrison	344	–	–	–	–	16 –	17
6008	Albion	Cook	296	–	–	–	–	13 –	14
6009	Planter	Blackburn	384	–	Gas coals not for sale		No weigher.		
6010	John and Mary	Allison	328	–	ditto	–	ditto.		
6011	Argonaut	Armstrong	339	–	Wed. 4 Nov.	Wed. 4 –	9 –	16 –	17
6012	Lydia	Cooper	299	–	–	–	–	14 –	15
6013	Parkins	Watkin	318	–	–	–	–	17 –	18
6014	Apollo	Ryder	270	–	–	–	10 –	14 –	15
6015	Hope	Johnson	323	–	–	–	–	–	–
6016	James Johnson	Fordison	360	–	–	–	–	18 –	19
6017	Ann	Toke	196	–	Importer's cargo, not for sale		No weigher.		
6018	Dorothy	Tully	336	–	Wed. 4 Nov.	Wed. 4 Nov.	10 –	17 –	18
6019	Hope	Fleming	220	–	–	–	–	14 –	15
6020	Eagle	Booth	340	–	–	–	–	–	–
6021	Stafford	Dorrison	360	–	–	–	–	13 –	14
6022	Broadwood	Grey	225	–	–	–	–	–	–
6023	William Henry	Cappell	368	–	–	–	–	17 –	18
6024	Syren	Stormont	381	–	–	–	–	16 –	17
6025	Cistus	Jackson	318	–	–	–	–	17 –	18
6026	Mewin	M'Kennie	333	–	–	–	–	–	–
6027	Boreas	Annan	324	–	–	–	–	16 –	17
6028	Rochester Castle	Embleton	235	–	–	–	–	13 –	14
6029	Jane White	Sands	297	–	–	–	–	16 –	17
6030	Adventure	Woodhouse	416	–	–	–	–	17 –	18
6031	Corrib	Cowlie	339	–	–	–	11 –	14 –	15
6032	Fidelity	Tullock	318	–	–	–	10 –	–	–
6033	Earl Grey	Ruglass	455	Sat. 31 Oct.	Gas coals, not for sale		No weigher.		
6034	Cheerly	Bany	260	–	Wed. 4 Nov.	Wed. 4 Nov.	10 –	16 –	16
6035	Ann	Smith	243	–	–	–	–	12 –	13
6036	Fenwick	Warner	270	–	–	–	–	16 –	16
6037	George Canning	Hick	311	–	–	–	–	14 –	14
6038	Integrity	Ramsay	250	–	–	–	–	13 –	13
6039	Adeline	Wilson	156	–	–	Frid. 6 –	12 –	17 –	17
6040	Joblings	Someville	381	–	–	Wed. 4 –	10 –	14 –	14
6041	Addison's	Brown	349	–	–	–	11 –	17 –	17
6042	Blackbird	Stephenson	259	–	–	–	–	16 –	16
6043	Archimedes	Calvert	196	–	–	–	–	14 –	14
6044	William and Jane	Davison	283	–	–	–	–	–	–
6045	Anacreon	Petrie	363	–	–	Frid. 6 –	–	16 –	16
6046	Mantura	Parkins	323	–	–	Wed. 4 –	–	18 –	18
6047	Jane and Mary	Spraggon	275	–	–	–	–	13 –	13
6048	Maxwell	Taylor	360	–	–	–	–	19 –	19
6049	Salem	Gregson	349	–	–	–	–	14 –	14
6050	Aquilon	Cleghorn	339	–	–	–	–	13 –	13
6051	Lord Farnham	Parcel	247	–	Frid. 6 –	Frid. 6 –	12 –	14 –	14
6052	Mary Ann	Smart	371	–	–	–	–	17 –	17
6053	Gateshead	Morton	84	–	Small cargo –	Wed. 4 –	11 –	13 –	13
6054	Ruby	Croft	302	–	Frid. 6 Nov.	Frid. 6 –	12 –	16 –	16
6055	Britain	Wise	84	–	Small cargo –	Mon. 2 –	No weigher.		
6056	Ruby	Sinclair	466	–	Frid. 6 Nov.	Frid. 6 –	12 –	18 –	18
6057	Fortuna	White	360	–	–	Mon. 9 –	13 –	20 –	20
6058	Sceptre	Gill	310	–	–	Frid. 6 –	12 –	19 –	19
6059	Dorothea	Walker	238	–	–	–	–	16 –	16
6060	Commercial	Tooley	233	–	–	–	–	17 –	17
6061	Atlantic	Southern	243	–	–	–	No weigher.		
6062	Providence	Day	278	–	–	–	12 –	18 –	18
6063	Earsdon	Wagman	249	–	–	–	–	14 –	14
6064	Malta	Bainbridge	333	–	–	–	–	18 –	18

TABLES OF THE VARIATIONS IN THE HIGHEST PRICE OF COALS IN THE LONDON MARKET;

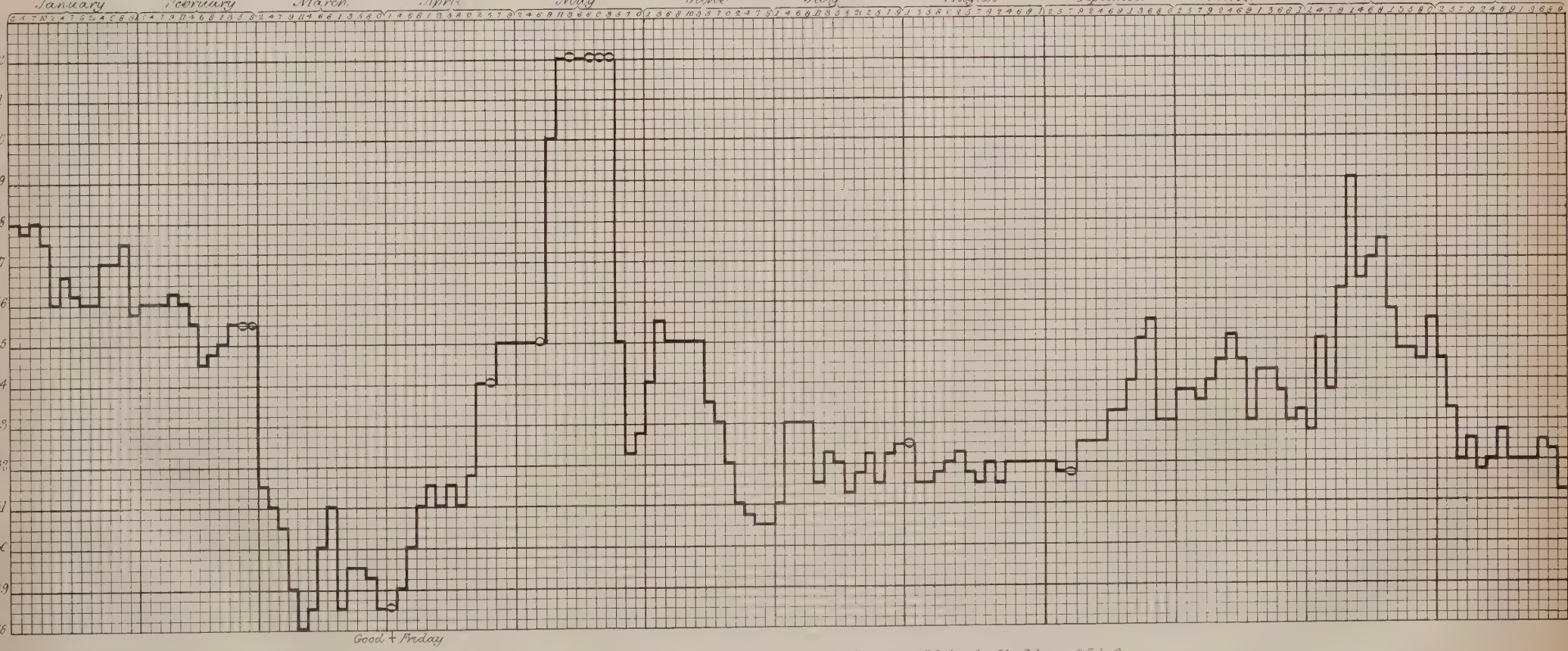
IN THE YEAR 1831, AND THE YEAR 1835

In Appendix N°51.

TABLE N°1.

Shewing the Rise and Fall of Prices of Coals each Market Day in 1831.
To be compared with Table N°2. being d° d° 1835.
The highest Price of the best Sunderland Coals is taken each Day. The O signifying no best Coals at Market or sold on that Day.

1831



This is the last Year of the old Act of Parliament when Coals were sold by the Chaldron - 25 ½ Cwt
The Market Days are Monday Wednesday & Friday the figures under each Month denoting the days of the Month.
In this Year 1831. 7006 Ships delivered 1,604,151 Chaldrons - 2,045,292 Tons.

The light horizontal lines indicate 3ᵈ, 6ᵈ, and 9ᵈ.

Will.ᵐ Brown Scott,
Coal Exchange 25 Aug.ˢᵗ 1836.

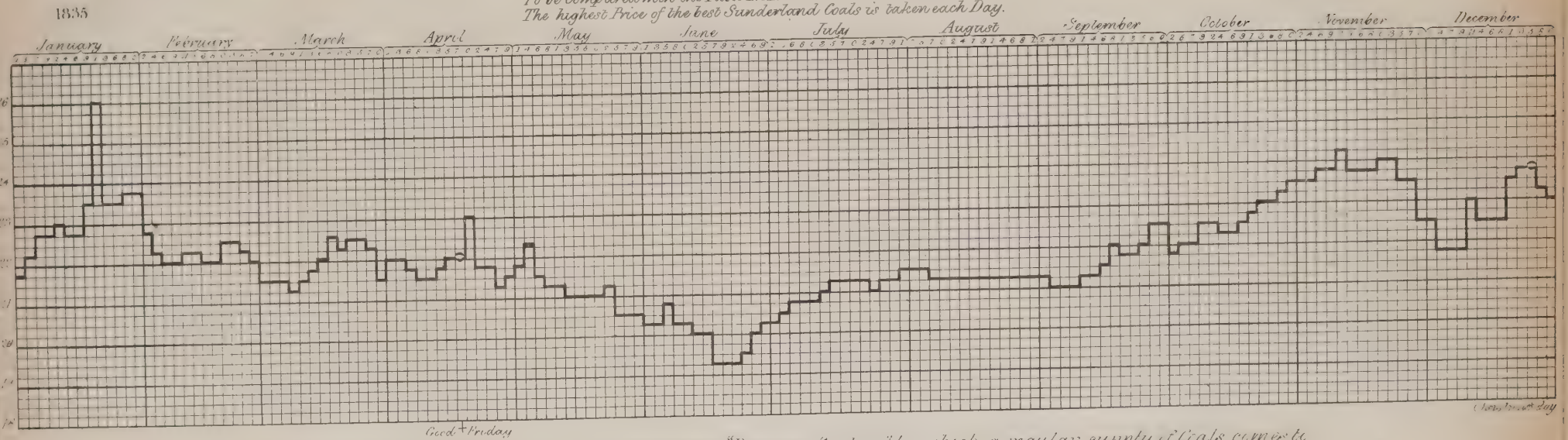
Ordered by the House of Commons to be Printed, Aug. 2nd 1836.

In Appendix N°. 51.

TABLES OF THE VARIATIONS IN THE HIGHEST PRICE OF COALS IN THE LONDON MARKET IN THE YEAR 1831, AND THE YEAR 1835.

TABLE N°2.

Shewing the Rise and Fall of Prices of Coals each Market Day in 1835.
To be compared with the Table N°1. d° d° d° 1831.
The highest Price of the best Sunderland Coals is taken each Day.



This is the first complete Year of what is called the "Rotation System," by which a regular supply of Coals comes to Market and the great fluctuations of Prices are avoided.
In this Year 1835, 7958 Ships delivered 2,298,812 Tons.

Will.m Brown Scott,
Coal Exchange, 25.th August, 1836.

The light horizontal lines indicate 3d, 6 and 9d

—	SHIPS' NAMES.	MASTERS' NAMES.	Tons of Coals by Certificate.	Arrival at Gravesend.	Offered for Sale.	Sold or otherwise disposed of.	Began to Work.	Delivered.	Days from Arrival at Gravesend to Delivery.
6065	Barbara	Armstrong	262	Sat. 31 Oct.	Frid. 6 Nov.	Frid. 6 Nov.	12 —	16 —	16
6066	Albion	Lotherington	257	—	—	—	— —	18 —	18
6067	Grace	Dixon	349	—	—	—	— —	16 —	16
6068	William	Richardson	318	—	—	—	— —	17 —	17
6069	Kingston	Pearson	307	—	Gas coals, not for sale		No weigher.		
6070	Peace	Dodds	250	—	Frid. 6 Nov.	Frid. 6 Nov.	12 —	16 —	16
6071	Zephyr	Crowe	349	—	—	—	— —	19 —	19
6072	Agenoria	Smith	357	—	—	—	— —	17 —	17
6073	Friends	Ray	272	—	—	—	— —	16 —	16
6074	Dantzick	Brice	381	—	—	—	— —	21 —	21
6075	Eliza	Rennoldson	296	—	—	—	— —	14 —	14
6076	Fenwick	Dawson	410	—	—	—	— —	19 —	19
6077	Hope	Wigham	177	—	—	—	— —	13 —	13

Coal Exchange, Oct. 1835.

William Brown Scott.

Appendix, No. 52.

Public Acts of Parliament in force, relating to the Trade in Sea-borne Coals.

9 Hen. 5, stat. 1, c. 10; 30 Charles 2, c. 8; 6 & 7 Will. 3, c. 10. As to the admeasurement of keels, &c., carrying coals at Newcastle.

9 Ann, c. 28 (made perpetual by 1 Geo. 1, c. 26, s. 1), for the regulation of the several branches of the Coal trade (repealed in part by local Acts of 47 Geo. 3, and 1 & 2 Will. 4, hereafter noticed.)

12 Ann, stat. 2, c. 17, for ascertaining the Coal measure.

3 Geo. 2, c. 26, for the better regulation of the Coal trade (repealed in part by the local Act of 1 & 2 Will. 4, hereafter noticed.)

4 Geo. 2, c. 30, for rendering more effectual the Act of 3 Geo. 2, so far as relates to preventing the enhancing the price of Coals in the Thames.

11 Geo. 2 c. 15, s. 6. *et seq.* As to Coal contracts at Billingsgate, and measure of waggons at Newcastle (extended as to the measure of waggons to other ports, by 15 Geo. 3, c. 27.)

6 Geo. 3, c. 22, (continued by subsequent Acts). Turn Act as to the loading of ships in the ports of Newcastle and Sunderland.

1 & 2 Will. 4, c. 16; 3 & 4 Will. 4, c. 56, and 4 & 5 Will. 4, c. 89, as to duties of customs.

Local Acts in force, realting to the Trade in Sea-borne Coals in the Port of London.

1 & 2 Will. 4, c. 76, (repealing 47 Geo. 3, s. 2, c. 68, and substituting other provisions), for regulating the vend and delivery of Coals in the cities of London and Westminster, and in certain parts of Middlesex, and other adjacent counties.

10 Geo. 4, c. 136, and 11 Geo. 4, c. 64, for making provision for the approaches to London Bridge, &c.

Local Acts in force in the Counties of Northumberland and Durham, affecting Coals, Sea-borne.

1 & 2 Geo. 4, c. 44, Stockton and Darlington Railway.
4 Geo. 4, c. 33, - - - - - - ditto.
5 Geo. 4, c. 48, - - - - - - ditto.
9 Geo. 4, c. 60, - - - - - - ditto.
9 Geo. 4, c. 61, Tees Railway.
10 Geo. 4, c. 72, Newcastle-upon-Tyne Railway.
10 Geo. 4, c. 106, Clarence Railway.
11 Geo. 4, Port and Haven of Sunderland.

2 Will. 4, c. 25, Clarence Railway.
2 Will. 4, c. 68, Hartlepool Harbour.
2 Will. 4, c. 67, Hartlepool Docks.
2 Will. 4, c. 92, Carlisle Railway,
3 Will. 4, c. 95, Clarence Railway.
4 Will. 4, c. 26, Blaydon Railway.
4 Will. 4, c. 57, Hartlepool Railway.
4 Will. 4, c. 56, Hartlepool Dock.

N. B.—It may be important to inquire, on some future occasion, as to the effects of the Waterman's Company, as to the 7 & 8 Geo. 4, c. 75, for the regulation of the watermen and lightermen on the River Thames, which, in effect, prevents any persons but freemen from owning lighters or craft upon the river, *see* Section 37, and may thus fetter the proceedings of any company which intended to carry on the whole operation of the coal trade, within itself, of purchasing the coals in the north, and delivering them to the cellar of the consumer in London.

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REPORT

FROM THE

SELECT COMMITTEE

ON

THE DISPOSAL OF LANDS

IN THE

BRITISH COLONIES;

TOGETHER WITH THE

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
1 *August* 1836.

Mercurii, 8° *die Junii*, 1836.

Ordered, THAT a Select Committee be appointed to inquire into the different Modes in which Land has been, and is at present, disposed of in the Australian Colonies, in the Cape of Good Hope, and the West Indies, with a view to ascertain that Mode which would be most beneficial in future, both to the Colonies and to the Mother Country.

And a Committee was appointed of,—

Sir George Grey.
Mr. Ward.
Mr. O'Connell.
Mr. Childers.
Mr. Hutt.
Mr. Poulett Scrope.
Mr. Pusey.
Mr. Francis Baring (Thetford).
Mr. William Gladstone.
The O'Conor Don.
Mr. Montague Chapman.
Mr. Roebuck.
Mr. Chalmers.
Mr. Scott.
Mr. Bannerman.

Ordered, THAT the Committee have power to send for Persons, Papers and Records.

Ordered, THAT Five be the Quorum of the Committee.

Jovis, 30° *die Junii*, 1836.

Ordered, THAT Mr. Bannerman be discharged from further attendance; and that Mr. Henry Lytton Bulwer be added to the Committee.

Lunæ, 1° *die Augusti*, 1836.

Ordered, THAT the Committee have power to report their Opinion, together with the Minutes of the Evidence taken before them, to The House.

THE REPORT - - - - - - - - - - - - - p. iii
MINUTES OF EVIDENCE - - - - - - - - - p. 1
APPENDIX - - - - - - - - - - - - - p. 225
PLAN of *Dutigalla*, *Port Philip*, and *Bass' Strait* - - - - - p. 224

REPORT.

The SELECT COMMITTEE appointed to inquire into the different Modes in which LAND has been, and is at present, disposed of in the *Australian Colonies*, in the *Cape of Good Hope*, and the *West Indies*, with a view to ascertain that Mode which would be most beneficial in future, both to the Colonies and the Mother Country, and who were empowered to Report their Opinion thereupon, together with the Minutes of the Evidence taken before them, to The House:—HAVE, pursuant to the Order of The House, examined the Matters to them referred, and have agreed to the following RESOLUTIONS.

Resolved,

1. THAT it appears to this Committee that, since the year 1795, the Sales of Waste Land in the United States have produced a sum of 59,707,439 dollars, or 12,439,049 *l.* sterling, without including the first quarter of the present year, (1836,) during which the Land Sales amounted to 4,439,650 dollars;—and that the revenue derived, annually, from this source, has advanced, progressively, from 4,836 dollars, (which was the amount received in 1796,) to 11,000,000 of dollars, (which was the amount received in 1835,) with every prospect of a farther increase, the Estimate for the present year being 20,000,000 of dollars, and the Receipts for the quarter ending March 31, 4,439,650 dollars.

2. THAT the Land Sales in the United States appear to be conducted upon an uniform, and well-organized, system, which is applied to the whole Federation; there being a General Land Office established at Washington, under separate, and responsible, officers, who have no political duties whatsoever, with 40 subordinate District Land Offices, in other parts of the Union:—that these Land Offices are connected with a Surveying Department, upon so extensive a scale, that the Land actually surveyed amounts to 110,000,000 of acres, over and above the 40,000,000 of acres already disposed of:—that all Land is offered for Sale by Auction, at an upset price, fixed by the Legislature; and that purchasers have the security of an Act of Congress both for the performance of the conditions, upon which they buy the Land; and for the permanence of the system, under which they acquire it.

3. THAT it does not appear to the Committee that, in the British Colonies included within the reference to this Committee, any regular, or uniform, system of Sale was adopted up to the year 1831, although certain conditions were attached to the occupation of Land, under the name of Quit Rents,—Money-Payments,—or cultivation of the soil,—which it was found impossible to enforce effectually. These conditions, moreover, were exceedingly various, and fluctuating;—productive of little advantage to the State, and often injurious to the Colonists themselves, by allowing vast tracts of waste land, either as Grants to individuals, or as Reserves for various public purposes, to interpose between the settled districts, and thus to interrupt the progress of cultivation and improvement.

4. THAT,

4. THAT, in the year 1831, the principle of uniformly affixing a Price to Land was introduced by Lord Ripon's Regulations, which required that all Land should be disposed of by Auction, at a minimum upset price, and for ready money only,—by the Colonial Authorities, the Sale being declared void, and the deposit of 10 per cent. forfeited, if the purchase were not completed within a month. But, it is the opinion of the Committee that the New System, although its effects are shown to have been highly beneficial already, has not yet been productive of all the good, which may expected to flow from it, when brought into more extended operation, under a system of superintendence similar to that of the United States, and with the guarantee of an Act of Parliament.

5. That the Committee therefore, recommend that the Principle established by Lord Ripon's Regulations should be affirmed by an Act of the Legislature, in order to give to this Principle a character of permanency, and stability, which it does not possess at present.

6. With regard to the minimum Price, which ought to be affixed to Land in the first instance, the Committee pronounces no opinion, conceiving that the whole tenor of the Evidence goes to prove that it must vary according to the circumstances of each Colony, and can only be determined, in any one, by the test of experience.

But it appears to the Committee that the whole of the arrangements connected with the Sale of Land,—including both the Price, and the precise mode of Sale,—should be placed under the charge of a central Land Board, resident in London, and made responsible, either to some existing department in the Government, or to Parliament directly, as may be deemed expedient. That this Board, acting through Local Boards established in the Colonies, should be charged as well with the superintendence of the Surveying Department, as with the care of so directing the stream of Emigration, which may be expected to flow into the Colonies from the Mother Country, as to proportion, in each, the supply of labour to the demand.

7. THAT, with a view to this latter duty, in the opinion of the Committee, it is most expedient that, with the exception of the West Indies, to which it will appear by the Evidence that a different system of colonization might be more suitable, but where the application of the same principle appears to be equally desirable—the net proceeds of the Land Sales in those Colonies, the climate of which is not unfavourable to the European frame, should be employed as an Emigration Fund;—each Colony being furnished with emigrant labour in exact proportion to the amount of its own Land Sales.

8. THAT the Committee sees reason to believe that, by a judicious selection of the Emigrants, and by giving a preference to young couples recently married, a great effect might be produced, in opposite senses, upon the state of the population here, and in the Colonies, by the removal of a much smaller number of persons than might, at first, be thought necessary. The Committee beg to refer to certain Tables prepared under their direction by Mr. Lewis, and annexed to the Report, to exemplify their meaning.

9. The Committee conceive that it would be perfectly practicable to raise, upon the security of the future Land Sales, the Funds necessary to set on foot

foot a plan of systematic Emigration, upon a scale sufficiently large to meet the exigencies of the Colonies and of the Mother Country.

10. That in this, as in all their other recommendations, the Committee have looked with quite as lively an anxiety to the welfare of the Colonies, as to that of the Mother Country:—that, in all matters connected with Emigration, they conceive the interests of the two to be inseparable;—the one thing wanting in the Colonies, being precisely that free, or hired, labour, a superabundant supply of which is occasioning great local suffering in other parts of the Empire;—while the transfer of this labour to the Colonies, by enabling them to turn to the best account the advantages of soil, climate, and great natural fertility, which they possess already,—cannot fail to open new channels of industry, and commerce, both to them, and to the Mother Country, and thus to enhance, incalculably, the prosperity of the United Empire.

1 *August* 1836.

PROCEEDINGS OF THE COMMITTEE.

Jovis, 14° *die Julii*, 1836.

MEMBERS PRESENT.

MR. WARD, in the Chair.

Mr. Poulett Scrope.	Mr. Chalmers.
Mr. Pusey.	Mr. Hutt.
Sir George Grey.	Mr. Henry Lytton Bulwer.
Mr. Childers.	Mr. Francis Baring.
Mr. William Gladstone.	

Mercurii, 20° *die Julii*, 1836.

Clause 3 of Proposed Resolutions read. Motion made, "That this clause be negatived," (*Sir George Grey*). Question put; the Committee divided:

Ayes, 3.	Noes, 4.
Sir George Grey.	Mr. Hutt.
Mr. Francis Baring.	Mr. Childers.
Mr. William Gladstone.	Mr. Poulett Scrope.
	Mr. Chalmers.

Clause 6 of Proposed Resolutions read; amendment proposed, to leave out from the word "experience," in line 5, to the end of the paragraph (*Sir George Grey*). Question put, That these words be omitted; the Committee divided:

Ayes, 3.	Noes, 5.
Sir George Grey.	Mr. Hutt.
Mr. William Gladstone.	Mr. F. Baring.
Mr. H. L. Bulwer.	Mr. Childers.
	Mr. Poulett Scrope.
	Mr. Chalmers.

Amendment proposed, at the end of the paragraph to add the words, "It is the opinion of the Committee that a minimum price should be fixed for all colonies by the Act, and that the minimum price once fixed for any particular colony by the Land Board should never be lowered without the authority of the Legislature, in justice to those who have purchased, in the faith that land would not be subsequently thrown upon the market at a cheaper rate" (*Mr. Poulett Scrope*). Question put, That these words be there added; the Committee divided:

Ayes, 3.	Noes, 5.
Mr. Hutt.	Sir George Grey.
Mr. Childers.	Mr. William Gladstone.
Mr. Poulett Scrope.	Mr. F. Baring.
	Mr. H. L. Bulwer.
	Mr. Chalmers.

Clause 7 of Proposed Resolutions read; amendment proposed, to leave out all the words from the first word "That," in order to insert the words "the Committee are of opinion that the emigration fund may be furnished from the proceeds of the land sales in the above-mentioned colonies" (*Sir George Grey*). Question put, That those words be there inserted; the Committee divided:

Ayes, 1.	Noes, 7.
Sir George Grey.	Mr. Hutt.
	Mr. F. Baring.
	Mr. William Gladstone.
	Mr. Childers.
	Mr. H. L. Bulwer.
	Mr. Poulett Scrope.
	Mr. Chalmers.

Motion made, "That this clause be omitted" (*Sir George Grey*). Question put; the Committee divided:

Ayes, 4.	Noes, 4.
Sir George Grey.	Mr. Hutt.
Mr. William Gladstone.	Mr. F. Baring.
Mr. Childers.	Mr. Poulett Scrope.
Mr. H. L. Bulwer.	Mr. Chalmers.

The Chairman gave his casting vote in the negative.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Veneris, 10° *die Junii*, 1836.

MEMBERS PRESENT.

Mr. Ward.	Mr. Childers.
Mr. F. Baring.	Sir George Grey.
Mr. Montague Chapman.	Mr. Poulett Scrope.
Mr. Chalmers.	Mr. Hutt.
The O'Conor Don.	Mr. Scott.

MR. WARD, IN THE CHAIR.

William Wolryche Whitmore, Esq., called in; and Examined.

W. W. Whitmore, Esq.

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1. *Chairman.*] HAVE you any statement which you wish to make to the Committee connected with the principle of colonial lands?—I have.

"The question of emigration, which has at intervals occupied so much attention in this country, is forced upon our consideration at the present moment more imperatively by the necessity of considering the condition of the Irish poor. The state of misery and degradation in which the bulk of that people appear by the Report of the Commissioners to be sunk, by abject poverty and the want of demand for their labour, calls loudly for some measures which will ameliorate their social condition. It is stated that there are in Ireland 2,300,000 persons, for whose labour there is no demand for 30 weeks in the year. There can be no subject of inquiry more interesting and more necessary than one, the object of which is to find employment for this mass, and thus rescue the country from the misery and turbulence which must inevitably result from so vicious a state of society. It is curious, considering the contiguity in which England and Ireland are placed to each other, and the connexion existing between them, that the capital of England, abundant and overflowing as it is, should not have been largely employed in Ireland, and thus tended to improve the social condition of that people. A few considerations will, however, show the difficulties attending such an operation. It is clear two conditions are necessary to induce the capitalist to employ his funds in any given direction; first, security; next a fair chance of realising the profits he anticipated from the application of them. In Ireland agriculture offers the largest field for the employment of capital; to it, indeed, and to objects immediately connected with it, capital would be almost exclusively directed, provided there was sufficient security for its investment. In order, however, thus to employ capital largely with benefit in Ireland, it would be necessary to clear the ground of some of the numerous small holdings, which occupy so large a portion of that country, and oppose so formidable a barrier to the creation of larger farms. The process of clearing the ground is, however, a cruel and most dangerous one, where no field of employment is offered to the wretched occupant upon his ejection from his holding. Without such a field you cannot carry this process far; the moral feeling is against it; the outrages which result from it deprive you of the means of disposing of your land to advantage. Who would take land and lay out capital upon it, when the burning of his house, the de-

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struction of his whole family, or at best his own assassination, would be the too probable result? But it may be asked, why not establish manufactures? I believe it is rarely if ever done either suddenly or by foreign means; they must have a slow growth, and arise almost imperceptibly in the first instance. The habits of the people must be gradually fitted for these employments. The habits of industry, of hardiness, of economy, necessary for such operations, are not easily acquired, and certainly will with difficulty be found or introduced in such a state of society as Ireland now exhibits. No attempt to carry on manufactures on a large scale with paupers ever answered here or elsewhere; perhaps the genius of the people, independent of their present condition, is not favourable to a great development of manufactures and commerce; very few nations comparatively have attained to it. Why this is so, is a curious problem; but it is beside the present question. With emigration on a large scale, and reduced to a system, you may proceed boldly to ameliorate the condition of the people of Ireland. You may, I think, safely employ public money in great works of national improvement; roads, harbours, railroads, *here* constructed by private individuals, might *there* be in the hands of Government, care being taken that they are useful works, and that the people employed are under good discipline, and a portion of their earnings being kept back as a fund to assist their settlement, either in their own country or the colonies, when the work is done. The recommendations of the Poor-Law Commissioners (or at least some of them), the cultivation of waste lands, draining, &c., may be undertaken; under the shadow, as it were, the protection of these works, private capital may be employed. Your operation would not be simple but compound, and the end would be the improvement in the social condition of the people, the increase of the wealth of the community, and the removal of that misery and poverty, leading to popular tumult and private assassination, which at present disgrace and perpetuate the ills of that unhappy country. This alone would be sufficient to recommend emigration. It may not be wanted for the poorer classes of this country, though of this I am not convinced; the present period of excitement seems to have absorbed what was by many, and myself among the number, considered as surplus labour. But supposing a check to occur; supposing a general stagnation in trade—and who has not frequently witnessed such a state of things?—will there then be no surplus? I do not think so; it may not be large, but if it exists, it will be very serious, now that the poor-laws have been so wisely altered. As a friend to that measure, as a guardian about to be actively employed in carrying it into effect, I should like to feel I had the resource of a well-regulated emigration to fall back upon, in case of need.

But is it for the poor only, emigration, or, to speak more properly, colonization, is needed? Is there full employment here for the more educated? Can every younger brother, even of the wealthiest families, find a field whereon to exercise his talents? Can every farmer's son stock a farm, and get one? Can every tradesman's son or apprentice set up for himself in business, with a fair chance of success? We all know this is not the case; the competition is keen; the weaker go the wall and are reduced to hopeless misery, or sink at once down into a lower grade of society. Look again at lawyers, physicians, apothecaries, and all that numerous class, possessed, as a body, of great talent, of information and industry, and inquire whether they do not find the field for the employment of their talents fatally circumscribed? But there is another class still more hopeless; I mean females: what numbers are doomed in this country to pass their lives in celibacy and solitude; eminently qualified, perhaps, to become useful members of society; excellent wives; admirable mothers! To them the means of discharging their duties are forbidden; their affections are nipped in the bud; their hearts often broken by the chilling hand of poverty, and the want of employment of those upon whom they would otherwise have leant, and in leaning, formed in their turn the steadiest prop, and surest consolation. I should be disposed to carry this view still further: I think that by extending the field for employment for the talent, as well as the labour, of the people, you will prevent the frequency of foreign war, and aggression against your own laws, and institutions. Wars undertaken by a free country are generally the result of public feeling; they are popular at first; they could hardly be undertaken, indeed, unless they were so. What makes them popular? Sometimes an indignant feeling against foreign ambition; sometimes the necessity of repelling

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repelling actual invasion. These at least would ever be the grounds alleged; but are they always the real ones felt? Is there not some vague hope of advantage to be derived from it; and may not employment for the more ardent, though idle, spirits of the day be one of the strongest motives? I suspect this will often be found at the bottom, when such feelings are analyzed. It is not only that such persons themselves ardently long for it; but they belong to others; they have parents, brothers, sisters, friends, who share in their feelings, and would be benefited by their employment. That the employment of this class would be productive of security to the laws and institutions of the country, is susceptible of more easy proof. No country is fitted for liberty, none can long enjoy it, where the people, besides being moral and instructed, are not industrious, and pretty well employed. England is pre-eminently so; because, upon the whole, we have had such employment; because we are generally so much, often so exclusively, occupied with our domestic concerns. We have hitherto been employed; but how? By repeated wars, together with our manufactures and commerce. Without the drain of war, should we have been equally well occupied? I suspect not. Since the peace of 1815, though the manufactures and commerce of the country have made unexampled strides, we do not find a full employment for all our talent, our labour, or our capital. We find, perhaps, nearly employment enough, but not quite; and the excess, though small perhaps in any one year, by its accumulation becomes important. I think, therefore, that the question of colonization deserves the serious consideration of our statesmen as a measure of security, as well as it does as means whereby the wealth, the resources, the shipping, the manufactures of the country may be augmented.

Will it, however, increase our wealth? It requires capital. English capital will, in the first instance, be employed largely, and even continue to flow in this direction ultimately. That is an abstraction from, not an augmentation of, our wealth. But the question is, whether there is a surplus capital here, and what now becomes of it? Is not much wasted? Is not much employed in foreign countries? Do we not supply foreign loans? Do we not work South American mines? Is not employment for it sought in every way likely to yield a profit? If so, the question arises how this surplus can best be disposed of; best, in so far as profit is concerned; and best, too, with reference to the permanency of its possession in British hands? How will it not tend to promote British manufactures, and be made to fix itself, or at least the proceeds resulting from it, in the soil of England? I answer, by colonization; by extending your empire; by causing the surplus of capital, as well as people, to spread themselves over a field boundless in point of extent; capable of producing articles required in this country as well for immediate consumption as the raw materials of your manufactures, and thereby raising up a population of British origin, governed by the same laws, speaking the same language, and having nearly the same wants and feelings as the parent state. That capital can be profitably employed on such a field is abundantly proved by the high rate of interest paid for money in any one of our colonies, Australia especially, where it is stated from 10 to 20 per cent. may be obtained on good security.

This is still further proved by the extraordinary rise which takes place even at present in the value of land, whether waste or partially cleared; the former, as it is stated, varying, in Van Diemen's Land from 10*s.* to 40*s.* per acre; the latter from 4*l.* to 6*l.*; the town lots and some superior situations being greatly higher, indeed I believe the former, in Sydney and other places long settled, to be as high as in Europe.

It may be objected, these are distant possessions, and that you cannot long expect to maintain your empire over colonies so situated. When they begin to feel their own power, you certainly cannot, and it ought to be no part of your policy to attempt it; but the advantages you do derive from these distant possessions are still great, chiefly commercial. You can establish a perfectly free system of trade; there may be and ought to be perfect reciprocity, the productions of each country being admitted into the other either without duty, or such only as is required for purposes of revenue. The amount of such a trade, therefore, would be much greater than with any people, alike in point of numbers and wealth, where such freedom of trade did not exist. The habits, too, of the colonist, his feelings, even his prejudices, would all tend to make him

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give a preference to the manufactures of the country from whence he sprung; and this habit, this connexion, would continue long after your dominion had ceased. As emporia for your trade, too, to other parts of the world, as employment for your shipping, as an outlet for your surplus wealth and population, these possessions are of infinite value. Sound policy would, however, dictate that you should give a preference, in any scheme of colonization, to such possessions as were likely to realize these advantages to the greatest extent, and to preserve them to the mother country for the longest period. In order to accomplish this the most effectually, attention should be paid to the extent of the country to be colonized, to its position on the globe, and to its capability of producing articles in great and increasing demand in the mother country. Its extent should be considerable, otherwise your stream of emigration would not long be continued; and a population pent up in narrow bounds, not having their energies directed to conquests over the waste, would probably direct them to the acquisition of their own independence. There is a period in all colonies when this must arrive; but the larger the area, the more the colony requires aid from the mother country both in point of labour and capital; and the longer men's minds were occupied in bringing fresh land into cultivation, so much the longer do I believe would the connexion between the mother country and the colony continue.

The geographical position is also of importance; it ought not to be too near other countries possessing institutions more popular than your own. An island, and an island situated in a parallel of latitude different from your own, and of large extent, would be my beau ideal of the site of a colony; it would, I mean, realize my views of the advantage the mother country might derive from it to the greatest extent.

The difference, however, of climate, and consequently of productions, I think of great importance. The bond of union is trade; the greater the extent to which it is carried, and the more it appears susceptible of constant increase, the more stringent is the tie. If the productions of the colony are similar to those of the mother country, the demand for them is less, and the probability of their exciting the jealousy of the home-producer great; their increase is looked upon with dread, their actual magnitude is pointed out and exaggerated in all periods of depression in price. Some influential member, some minister, ignorant of trade, to suit the party purposes of the day, propose restrictions upon this trade in the shape of protection to agriculture, and commonly succeed in their object; the trade is thereby contracted, jealousies, bickerings, ill-blood, take the place of the harmony and order that before existed. It is the cotton, the tobacco and the rice of the southern states of the United Provinces, not the corn or timber of the northern, which form the commercial link between England and the United States at this moment; without these productions the estrangement and the enmity between the parent and the child would be infinitely greater than it is, and probably the trade between them, instead of having increased since the independence of the latter, would have sunk to a very low ebb.

Now it appears to me that Australia completely meets all these conditions: the extent may, for any purposes of colonization, be considered boundless, nearly equalling the whole of Europe in dimensions, possessing a climate favourable to the productions of the tropical as well as the more temperate regions, insular in position, and therefore accessible by sea throughout its whole boundary, having already as its staple produce an article of great demand as a raw material of one branch of our manufactures, wool, the quality of which is superior, the supply unlimited, the value great in proportion to bulk, and having also whale oil in equal abundance to form the dead weight of the cargo. This country, from its situation, will probably produce in time, when its capabilities have been ascertained, and capital and labour been employed upon its soil, nearly, if not quite, all the articles of raw materials required for the other branches of English manufacture. Cotton, wool, silk, flax, the dyes, may all, I think, be reasonably expected to form articles of produce in that country; add to which wine, olive-oil, tobacco and sugar; perhaps tea and coffee may be grown there.

From England it will for centuries require its manufactured articles, and consequently whatever capital may be drawn from England to people that region, will be amply repaid by the additional demand for her manufactures, and

and the ample supply of the raw material she will receive in return. The commercial ties between the two countries will therefore be of the strongest kind; they will be natural ones, conferring equal benefit on each, requiring no protection, as it is called, no prohibition of the import of the commodities of other countries, not interfering with any of your own products, except wool; and this is of a character so distinct from English wool, as not likely to excite the jealousy of the home-grower.

The contrast between Australia and Canada places this view of the case in a clearer light. Almost all the circumstances of Canada are the reverse of those of Australia. The connexion between England and Canada is a forced one, depending on protections and prohibitions, and mainly cemented by the most extraordinary and absurd system of trade that perhaps ever disgraced a commercial code. Canada is perpetually excited to throw off her allegiance by the example and close intercourse of the United States; she already has that feverish, uneasy feeling which usually preludes a separation; part of her population is of foreign origin, and it is easy to foresee that, after a few years of jealousy and irritation, she will cease to form a part of the British empire. However this may be, by directing the stream of emigration to Canada, you are not advancing British interests nearly in the same degree as by directing it to Australia. An extension of trade, I again repeat, is the main good which will ultimately result from colonization; and trade, to be really prosperous, must, as before observed, stand on its own legs; the necessity of props and shores is a sure sign of insecurity in the fabric, and the clear indication of its ultimate if not speedy fall.

The distance to Australia is the main objection to its being peopled from this country. If *we* were to find all the funds to carry it on, I admit it would be a valid one; but this the peculiar nature of our plan of emigration remedies, and I am not quite sure whether the facility it would give of directing emigration to the part of the world which is deemed the best for the parent state is not one of its advantages. That has been either overlooked or not sufficiently dwelt upon. Supposing, then, the policy of colonization on a large scale to be proved, how can it best be carried on? It is clear two things are necessary to give value to waste land—capital and labour. The mode of supplying both is eminently worthy of consideration. Capital will arise from two sources; first, the capital sent from the mother country; second, that accumulated in the colony; but the amount of each will depend upon the supply of labour it can command on the spot where it is to be employed.

That it would be largely sent from this country is probable; but the amount sent, and the period, early or late, of its transmission, will mainly depend upon the impression on the public mind to be created by the information given; and therefore it is that this inquiry is likely to be of so much use, and that it is desirable it should embrace every part of this interesting subject.

That capital would be rapidly accumulated in a colony into which a stream of emigration of labourers was setting, is clear; it is proved, not only by general reasoning, but by universal experience, and demonstrated as well by the rate of interest as by the increasing value land under such circumstances acquires.

In the case of Australia, there is another point, bearing on this part of the subject, to be borne in mind; it is that its present staple produce is comparatively light of carriage, and of considerable value as compared with its bulk. Where this is the case, and supposing the demand to keep pace with the augmented produce, it is clear the profits of cultivation must continue high. Corn, in such a country, must command a high price, because no one would grow cheap corn, where he could produce wool of so much greater value; so with all other products. And so long as Australian wool can command its present price in the European market, so long must the rate of profit on agricultural pursuits in Australia be high, and the accumulation of capital consequently be the more rapid. Everything, however, depends upon the supply of labour; it is the *sine quâ non*. The intensity of this want explains, though it does not justify, the crimes committed, and the pollution tolerated to supply it.

The slave trade and slavery are proofs of the one, and the avidity with which convicts' labour is sought manifests the other.

It is our object to supply this labour from a purer source, and to insure a constant

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constant flow of it to the place where it is needed. The scheme contemplates sending out young persons of both sexes in equal numbers, the expense of their passage being defrayed by the proceeds of the sale of waste land in the colony to which they are sent. Thus, as with the capital, the supply will be partly drawn from the mother country and partly produced at home. The last source will in a few years be very great. It is difficult, until we have experience of the working of this plan, to say how rapidly population, under such circumstances, would increase; but that it would be with much greater rapidity than any country now exhibits is, I think, probable.

The supply, too, from the mother country would probably be large; it would of course depend upon the quantity of land sold, and the price it would realise. It is difficult to form, and somewhat hazardous to give, any opinion upon these points, until experience has thrown its light upon them. That large tracts of land might be sold, and that its price might be considerable, I strongly believe; but much will depend upon circumstances: whether the selection of land is a good one; whether enough and not more than enough is put up to sale; whether the labourers have been well chosen and turn out well or ill; together with the state of the European as well as the colonial markets, and various other contingencies, are points which must be known before any approximation to a correct opinion can be made; and, like everything else depending on human wants and human judgment, there will be probably great variations in the results in different years.

That under good management the results would in a short time be great, I firmly believe. I can easily conceive its being carried so far as to absorb all surplus labour both in England and Ireland; but it must be borne in mind that it cannot be instantaneous in its operation. One of its main and, as I believe, most beneficial features is, that it is progressive and continuous. Some time must elapse before its benefits in their full extent would be experienced, and therefore it is that every other means of employing labour which can be devised should be adopted in conjunction with it.

The experience of the United States shows that the quantity of land sold in each year may be very considerable, and although the circumstances of the two countries are different, the one having its back settlements adjoining its own territory, and the other being separated from its colonies by a wide expanse of ocean, still by our plan a bridge would be thrown over that ocean, and it would probably turn out, on an accurate calculation, that the expense of moving from the eastern states to the western limits of cultivation, bore a higher proportion to that of sending a similar number of persons from Great Britain to her colonies than would at first sight be apparent; besides which, the cost in the latter case for labourers would be paid, not so in the former.

The capital of England being so much greater than that of the United States, leaves no doubt that if it took that direction, as much or more land than is now sold by the latter would be disposed of by Great Britain; the price, too, would probably be higher.

In order to estimate the value of this species of emigration with the other modes in which it has hitherto been carried on, it is desirable to take a rapid glance at them. There appear to be two other modes; the one by location of families on the waste by the Government, the other leaving emigration to itself. The first ever appeared to me objectionable, on account of the immense expense attending it; because it resolved itself into a violent effort at one time, and did not provide for continuous action; because it formed a body of settlers, almost all of one class, and that the most indigent. Without capital, without experience of the country where their lot was cast, without the power of hiring labour, even if they had possessed the means, such a settlement by itself could hardly prosper, at least it must take a number of years before it could emerge from its difficulties and begin to prosper. In the midst or on the border of other settlements of a different description it might succeed better; but still I should hold it to be a very expensive and inefficient mode of accomplishing the object in view. It is in the highest degree desirable that the labourer sent out to the colonies should acquire his independence and property there gradually, both because he would assist for a few years in making the capital of the colony available by his labour for the development of a much higher description of cultivation and civilisation than it would otherwise accomplish, and also because he would thereby obtain that knowledge and experience and habits

habits of industry, so eminently necessary to insure his own success when he enters the class of proprietors. The more rude and uncivilised were the emigrant, the less habituated to regular habits of industry and the less skilled in its mysteries, the more would this apprenticeship be requisite; and it is obvious that this is the description of person, especially in Ireland, of whom the bulk of the emigrants would be composed. There remains for consideration the present state of emigration, emigration left mainly to itself. There is no doubt that, unaided as it is, except the small assistance afforded by the Colonial-office to emigrants to Australia, the numbers who proceed to the colonies are considerable, and might possibly increase. The objection, however, which strikes me is, that it fails in carrying out the parties whose presence in the colonies would be most beneficial, and whose absence from the mother country is required. Labourers without any capital cannot go; the supply therefore of this description of persons is not afforded by these means, and the migration of individuals of some capital, without their being accompanied by the poorer classes, is of very doubtful benefit. To Ireland I conceive it to be the reverse of benefit; it abstracts a portion of her capital, which is obviously not superabundant, and it takes off some of the most industrious and provident of her people, where industry and providence are equally rare with the possession of capital. British objects, too, are but little considered by this species of emigration; a large mass go to the United States; and although no jealousy ought to be entertained at the growth of population and wealth of a foreign country, still it would be better that the wealth and population of Great Britain should be extended to her own dominions rather than to such foreign state. There is one point which had nearly escaped me, it is the difference of expense of conveying labourers to Canada and Australia; it is considerable, perhaps 5 *l.* to one and 17 *l.* to the other. This circumstance standing alone would point out Canada, and not Australia, as the quarter to which emigration should be directed; and if the getting rid of a given portion of our population, without any other objects in view, were the sole consideration, it would probably settle the question; but I am fully impressed with the opinion, and have endeavoured to show that the getting rid of our surplus population, though a point of great importance, is by no means the sole consideration; that there are other great national objects also connected with this project, and that however emigration may now appear the more prominent, colonization on a large scale, and well directed, is, in the long run, by much the larger question of the two. By colonization I mean the extension of the British empire, whereby its commerce, its wealth, its shipping and power, may be augmented, its rate of profit raised, and the general welfare and happiness of all classes of its subjects promoted. I am, too, inclined to doubt whether the difference above mentioned would not be counteracted by other circumstances. In the first place 5 *l.*, though perhaps enough to send a labourer to Lower Canada, is not enough to convey him to the Upper Provinces, where his labour would probably be required. I suspect, too, that the good land in Australia would bear a higher proportionate value than in Canada; the climate is better; the products, as I have stated, more valuable; the trade with England more secure, and probably the expense of clearing the ground less. The good land in Australia, too, is contiguous to poorer tracts of natural pasture, eminently qualified for sheep pasture, and would therefore possess somewhat of the same advantages, and consequently greater value, which would belong to a farm in England with an extensive right of pasture on an adjoining common. The winter of the one is very severe, of the other mild; and every farmer will at once appreciate the advantages which the latter must possess over the former in the management of his stock, whether sheep or cattle. This point is of great importance. One of the greatest difficulties an agriculturist has to contend with, is the provision of winter food; it is generally precarious, and always expensive. Taking all these circumstances into consideration, I am inclined to believe that land of similar quality would sell for more in Australia than in Canada, provided the stream of emigration flowed in that direction; and as our funds are to arise from the sale of this land, the question of the difference of the expense of transit becomes of minor importance; the real point for consideration is, whether sufficient funds to take off our surplus population will be furnished by these sales: if so, it matters little whether the sum amounts to one or two millions; it matters little, at least in so far as emigration is considered, but it is a point of great

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importance when the other objects of colonization are considered. One word as to the mode of carrying this project into effect. It ought, I think, to be a department by itself, not left to the Colonial-office; commissioners might be appointed, in whose hands, if well selected, and the plan properly matured, I should entertain no doubt of its success.

2. *Chairman.*] You were chairman of the South Australian Association?—Yes.

3. And employed to take charge of the Bill by which the South Australian province was established?—Yes.

4. The principle of that Bill is the sale of all land, with a view to the supply of free hired labour in the colony?—Yes, clearly.

5. And you would wish now to see that principle extended to colonies already established?—I think it is the only principle upon which you should attempt to colonise with a view either to the benefit of the colonies or emigration.

6. And you say this, looking equally at the interest of the colony and the interest of the Mother country?—Certainly. Perhaps I might illustrate this; I conceive that capital and labour must go together; I conceive that capital ought rather to precede the supply of labour, than to follow it; and that the knowledge of the amount of capital which was invested in land in any given year under those circumstances, would be a sure indication of the demand for labour in this country.

7. You consider that the affixing a price to land is of itself an advantage to the colony?—I do consider it a great advantage.

8. Will you state your reasons?—The other mode of disposing of land in the colonies was by free grants. I think that injurious in various ways; in the first place, I think there is generally found a great deal of favouritism connected with this mode of disposing of land; it is often given to individuals who have neither the capital nor the habits which would enable them to cultivate it to advantage. Large tracts will, consequently, often be found, which will remain in a waste state, though they might have been cultivated with great advantage to the proprietors, or to the country in which they are situated, if they had not been disposed of as a matter of favour. I should instance as an exemplification of this the clergy reserves, in Canada, remaining desert in the midst of spreading cultivation, and thereby retarding the general improvement of the country. I do not see, either, how, by any other means, you are to obtain a supply of that necessary article—labour. It is clear that all the experiments which have been made in taking out labourers from this country, under bonds to serve individuals for a given period, have turned out complete failures; and such, I believe, would always be the result. By the plan which is now contemplated, there would be a constant succession of labourers brought to the colony, as the demand for their labour increased. They would be well-selected labourers; young in point of age, and likely to lead to a vigorous, healthy, and moral population.

9. Do you consider the effect of the sale of the lands would be to cause a supply of labour in two ways; first, by supplying an emigration fund for the conveyance of labourers to the colony; and, secondly, for preventing the labourers from becoming landowners too soon?—I believe it to be generally a misfortune where a free labourer is sent out to a new country, and immediately becomes a proprietor of land. I have already stated, in the memoir I read, that he has not the experience, which is necessary for the country in which his lot is cast, and that he has not the habits of prudence, which would be engendered in a few years by his labouring for his independence. I think that, under any other system, there could hardly be any combined labour; and I am quite satisfied that a combination of labour is highly desirable for the development of the higher degree of cultivation, and civilization. For instance, I cannot conceive how sugar, cotton and wool, or any products of that nature, could be grown in a country where there was not a supply of labour of some sort equal to the demand; then, again, I should say with respect to the construction of roads and harbours, and all buildings, combined labour was needed; the greater the emigration of labourers, year by year, the more such labour would exist, and the more the colony would prosper.

10. *Chairman.*] But the emigration of these labourers would be of little use unless they were prevented from taking land by affixing a price to it?—So I conceive.

11. And

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11. And that price must differ according to the situation of the colony?—Certainly.

12. Sir *George Grey.*] In what respect does the principle of your plan differ from that which is at present in operation?—The plan which I contemplate is the employ of the surplus capital of England, as well as the surplus population.

13. Does the plan at present in operation in the disposal of land in the Australian colony embody the principles which you think ought to be acted upon?—It certainly does, to a given extent; but I think it falls very far short of giving that impetus to colonization, which would be otherwise given.

14. Are you aware of the present regulations under which all lands are disposed of in the American colonies?—I believe I am aware of them.

15. Are you aware whether the system of free grants at present exists?—I do not think it does.

16. Mr. *Hutt.*] Is it the case that money obtained by the sale of land in the Australian colonies, excepting South Australia, is applied to the purpose of a fund for labourers?—I am not sufficiently acquainted with the details of the management to answer the question; and I should be disposed to say, that the ignorance which exists upon that subject in this country is an effectual bar to a large employment of British capital in that country; and I do not believe that much of British capital, except in the new colony of South Australia, has been so employed; the emigration of free labourers has consequently been, as I believe, to a very limited amount; and I think it would continue to a limited amount unless the regulations of the Colonial-office were made permanent, and apparent to all, by being embodied in a law, thereby giving that security to the capitalist of England which would induce him to employ his surplus funds in that direction.

17. Then it does not appear to you that the system recommended by Lord Ripon with respect to the land in the Australian colonies, embodies the plan upon which you propose to act?—It may, perhaps; I am not sufficiently acquainted with it to state in what points it distinctly varies with that.

18. Sir *George Grey.*] Are you aware that the despatches of Lord Ripon, containing the reasons upon which his regulations are founded, have been laid before Parliament within the last few years?—Yes, I believe they have.

19. *Chairman*]. But you do not conceive that such regulations are sufficiently known to have any great influence upon the people in England?—I think not; I should also add, that there would naturally be a doubt in the minds of capitalists in England how far those regulations might, or might not, be carried into effect by the governors of colonies; I think the doubts might chiefly arise from the knowledge which does exist, that very large grants in former years had been made, no law existing to prevent it; and that it is possible a similar abuse might again take place, which would greatly injure the property they had acquired by purchase.

20. What greater security would there be in the colonies from a law, than from a regulation binding on a colonial governor?—The greater security would arise from the knowledge, and promulgation of the law; there being so many parties in this country who would have their attention directed to that law; whereas there are so few, under the present state of things, to whom the regulations are matter of interest.

21. Mr. *Scrope.*] Would it not be considered, both in the colony, and this country, that a mode of disposing of land, founded upon an Act of Parliament, would be likely to be more permanent than a mere regulation of a Colonial office?—Certainly; if I were a capitalist wishing so to employ my funds in that direction, I should be very much indisposed to employ them solely under the regulations of the Colonial-office; I should employ them with much more safety under the law. So also with respect to the price of land, unless its sale were under proper control, and regulated by positive enactments, there might be much jobbing and contrivance, whereby the purchasers of previous years would be injured; the price realized might in one year be 10*s.* per acre, and in subsequent ones be reduced to 5*s.*, altering thereby the value of almost all the property in the colony; this might be accomplished by sales where public competition existed, and where the price fixed as the minimum was still

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maintained, the price realized would depend upon the quantity put up to sale, the situations selected, and the conditions annexed.

22. Do you think it would be possible to fix the minimum price at which land may be sold 10 years hence in the Australian colonies, looking at the rapid increase which may be anticipated in the population of those colonies, and the consequent probable increase of the value of the land?—I think you might fix the minimum, although you could not fix the maximum.

23. Do you think that if there is any value to be attached to fixing a minimum price, that the minimum ought to be the same when land is sold at a very high price or sold at a very low one?—No injury I can see could accrue to the previous purchaser of waste lands from the minimum price being raised, but great injury would result from lowering it.

24. *Chairman.*] The rule then that you propose, would be to put all land up to sale at a fixed minimum price, with perfect liberty of appropriation at that price, and certain fixed rules as to the quantity of land, which, under ordinary circumstances, would be brought into the market annually?—I should not contemplate selling land at the minimum price, certainly.

25. What do you contemplate then?—It would be all subject to competition.

26. You mean that all land would be put up at the minimum price?—Yes, with liberty of appropriation at that price, unless some one else chose to go higher.

27. Sir *George Grey.*] You would include public competition with due notice of the intended sale?—Certainly.

28. Would you also include a limit as to the amount of the lots in which land should be put up to auction?—I think a great deal of that must arise from further knowledge upon the subject than in this country we possess, and I think, therefore, that there must be some discretion, which must be left as in other cases, and it is that discretion which makes me fearful of leaving matters as they now stand.

29. But do you think there ought to be some limitation as to the quantity of land that ought to be sold in separate lots?—Probably; but when we contemplate the sale of land varying in quality and situation over a large country, it will be very difficult at any one period to fix decidedly what the conditions shall be; for instance, supposing the good land of a particular situation to be sold, (and that would be the first sold), there may be large tracts of inferior land, which may be valuable as large tracts; valuable as sheep pastures, for instance, and it, therefore, may be desirable to sell those large tracts of poor land under different conditions than you would dispose of the best land.

30. Mr. *Hutt.*] Then I understand you to say that you think that the desirable system for the disposal of land is, that it should be put up at an upset price, and sold to the highest bidder?—Yes.

31. Would you not be apprehensive that such a system of selling land might produce the effect of making the population too dense, and thus introducing the evils of an old state of society into a new country?—I should hardly contemplate it, and I think if it was ever found to exist, it might be very easily remedied by putting up a larger amount of land for sale in subsequent years.

32. At the same time, supposing the upset price sufficiently high to prevent the dispersion of the settlers, would you obtain the object?—I do not see how you are to obtain the value of land of various qualities by any other mode except competition, and that I think should be the object. It will, I think, be a matter of discretion what the quantity of land to be put up for sale in a future year should be, and this can best be ascertained by a knowledge of the value of the land which had been previously sold, and of the amount of emigration which was consequently existing in that direction.

33. Sir *George Grey.*] How far do you think it possible to limit by an Act of Parliament the discretion, which you think must necessarily rest somewhere, both as to the minimum price, and the other regulations affecting the sale of lands in Australia?—I think it would be difficult to limit the discretion by an Act of Parliament, but if certain rules were laid down by Act of Parliament, and if there were a number of people of capital and influence in this country who were interested in the execution of that law, I think then that the individuals who were appointed to carry it into effect, knowing that all their proceedings and orders were watched by an intelligent public, would be particularly anxious that their discretion should be a sound one.

34. What is the nature of the general rules which you think could be applied

applied by an Act of Parliament?—I should like to consider the subject more before I give a decided answer to that question.

35. Do you think any permanent advantage could be gained by fixing at present the minimum price, or the upset price, at which land is to be sold, looking at the probability of a great increase in the value of land in the course of a few years?—I think it is one of the securities, and one that you might give to the capitalists of this country.

36. How would it afford any security to the capitalists of this country, if an Act of Parliament were now passed, fixing 5 *s.* an acre, or any other sum which at present would be a fair upset price, as the minimum at which land is to be sold for the next 10 or 20 years?—You have this security, that the land could not be sold below that upset price, and the main risk you run is that land might be sold below the upset price.

37. Would it not be necessary to vest a discretion somewhere to raise the upset price, at which land should be sold during the period of 10, or 20 years?—It probably might be found necessary to raise the upset price. It is the lowering, not the raising, the upset price, the capitalist would fear.

38. Supposing that discretion exercised at the end of five years, by raising the upset price from 5 *s.* to 10 *s.*, what security would the capitalist purchasing at 10 *s.* have against a reduction to 5 *s.*?—My answer would be, that I can conceive the possibility of a case arising, in which it might be desirable to raise the upset price; it should only, however, be done when that necessity was quite apparent, and when great advantages were likely to accrue from it; but in no case can I conceive that, when the upset price had been once raised, it should be again lowered.

39. Mr. *Hutt.*] Supposing the upset price sufficiently high to prevent the dispersion of settlers and to produce combined labour in the colony; do you apprehend any evil on the score of price being too low?—I think, with a view to the progress of the colony, and to the advantages which we are likely to derive from that, you should have as large a fund arising from the sale of land as you could fairly obtain; and therefore I should say, I very greatly object to selling all land at a low rate if I could obtain a higher one. I do not think, either, that a fund, arising from the sale of land at a low rate, would be a sure indication of the wants of the colony for labour, which I think otherwise it might be made; and the amount of emigration from this country should depend upon the amount of labour you want in the colony.

40. Mr. *Baring.*] Are you aware that in the United States there is no limit as to the quantity of land that may be purchased at the statute price?—I am not so conversant with the sale of land in America as to be able to answer satisfactorily; but my impression is that it is not so unlimited as the question contemplated.

41. And that by restricting the privilege of purchasing, you often keep out large capitalists in the market, who alone can contend with the obstacles opposed to improvement by dispersion and local difficulties?—In contemplating this scheme of colonization, I have always considered that a discretion must rest somewhere, and that it would be impossible by the provisions of an Act of Parliament completely to meet all cases which in a very varying state of society may arise.

42. You talk of the investment of capital from this country for the purpose of emigration; in what manner do you understand that capital is to be invested?—I think it would be invested in various ways; there may be companies formed, who will purchase land with a view of re-selling that land when improved, and it had acquired a higher value. There is one such company established, having partly that object in view, in the new colony of South Australia. It may also be employed by individuals who themselves proceed to the colony as settlers. It would also be employed for commercial purposes. The company that I have mentioned embraces both objects; and I think it would be very desirable for the Committee to have information respecting that company and their proceedings up to this date.

43. Did that company purchase its grant from Government?—It was purchased from the commissioners appointed to carry the South Australian Act into effect.

44. Sir *George Grey.*] Would you exempt such a company as you have adverted

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adverted to from the Parliamentary regulation of purchasing in the colony by public auction?—Clearly not.

45. Do the company to which you have adverted, purchase by public auction or by private contract?—The colony in which the land is purchased can hardly as yet be said to have existence, except in an Act of Parliament, no settlement having as yet been made. The Act of Parliament was passed, and commissioners were appointed to carry it into effect; but the Act required that a certain quantity of money should be invested in this country for the purchase of land, before that Act took effect, and it is clear that under those circumstances the ordinary rules of sale and purchase of land could not apply.

46. Then the instance of the South Australian Company would not be applicable to the case of an old colony?—I only adduced that as a proof of the various modes by which capital might be transmitted from this country to the colonies.

47. *Chairman.*] But a company formed like the Australian Company could buy land in the colony just as easily as they could buy it here?—Certainly.

48. Do you conceive that a company formed for the purpose of buying lands in the colonies, should have any privilege to which individuals are not entitled?—None whatever. I look upon them only as a body; and performing that, as a body, which individuals could not so easily accomplish.

49. Mr. *Baring.*] Then do you understand that these companies should be subject to the same limitation, as to the quantity of land, as individuals should be subject to?—I conceive that all the regulations with respect to the sale of land, should be made without reference as to who the purchaser should be.

50. *Chairman.*] And do you conceive that any limitation is desirable as to the quantity; I mean as to the right of purchasing any quantity of that land which may be periodically put up to sale?—I think the sale of land should be as free as the sale of any other commodity. The quantity must depend upon the condition of the colony, and the discretion of the parties who are to carry the Act into effect; and also I should say the same with respect to the amount of the lots to be sold; whether a lot should be 100 acres, or 1,000 acres, for instance.

51. Sir *George Grey.*] Then you do not think that either the amount of land to be put up periodically for sale, or the amount comprised in each lot, would be a matter of Parliamentary enactment?—I think it is hardly possible that it should, because the amount of capital which may either arise in the colony itself, or be transmitted from this country, cannot be previously ascertained, and can be regulated by no fixed rules.

52. Mr. *Baring.*] You stated that in your view of the case, this application of English capital should be through the means of companies settling in that country, or purchasing land in the country, or individuals going out. Is it not in your contemplation that there should be an advance of money on the part of Government here, for the promotion of the purpose of emigration?—Certainly not as a general rule, or for purposes of colonization; it may, however, be a matter deserving of consideration, whether, in the present condition of Ireland, it would not be better, in a certain degree, to accelerate the stream of emigration by such advance of money; but I think it must be exercised with very sound discretion; I think it might be very easily carried too far, and I think it is clear that it ought to be within the bounds of what are known to be the demands of the various colonies for labour at the period, because I can conceive a state of things in which there being 20,000 labourers demanded, 25,000 might be sent, and that you would thus produce a glut in the labour-market, attended with most ruinous consequences to the individuals thus sent to your colony, and bringing perhaps a discredit upon the whole plan.

53. *Chairman.*] Supposing this difficulty overcome in the first instance, when once the system is established you think it will regulate itself?—Yes, I have no doubt of it.

54. And you would take the sale of land under those circumstances as a criterion for the demand for labour?—Clearly.

55. Forming the whole produce into an emigration fund for the purpose of supplying the colony with free labour, in the place of slave labour, convict labour, or compulsory labour in any shape?—Yes.

56. You

56. You look upon this as one of the great advantages likely to result from the system?—I do.

57. Do you conceive that it might be carried into effect to the extent of furnishing a substitute for convict labour throughout Australia?—It is very difficult to give an opinion upon a case, upon which we have as yet very little experience; but I am inclined to believe that supposing the surplus capital of England to be sent in that direction, that then there would be such a stream of emigration into Australia as to meet the ordinary demand for labour; but I think it entirely depends upon the fact of whether the surplus capital of England is, or is not, employed in that colony. I do not believe that the capital generated in the colony would be at all a sufficient fund for the accomplishment of that object.

58. But do not you conceive that capital being in the first instance employed to furnish the means of emigration from Ireland upon a considerable scale, such an impetus would be given to the demand for land in Australia as very materially to increase the fund for emigration, supposing the proceeds of the land sales to be so employed?—Ultimately it might, but I should not think that would be the immediate effect. I should be disposed to say that capital, in the country where it is to be employed, ought rather to precede labour, than labour to precede the capital.

59. Mr. *Scrope.*] You have given your opinion that there is much surplus capital in England at present seeking investment?—That is my opinion.

60. You have also stated that in Australia that capital might be very profitably employed?—Yes.

61. Do you not therefore conceive that, by supplying that deficiency of labour, the capital of England would be sure to flow from England, with a view of reaping the large profit which you say may be there derived?—I think that would be the probable result; but it is very difficult to give an opinion upon that, which, after all, must depend upon public opinion at any given time. Whether capital will flow into Australia must depend upon public opinion in the money market. I think by showing to the capitalist of England that there is a fair field for his capital, and giving him reason to think that he will reap the fruits of the money employed in this way, he might be induced so to employ a part of his funds. At the same time I should think it a very hazardous scheme, to send out a very large body of emigrants by money raised in the money market in England, before you had ascertained that there was a demand for that labour; and I will illustrate it in this way: Supposing an individual wishes to employ 10,000 *l.* in the purchase and cultivation of land in Australia, that individual being himself interested in the soil, either as occupier of it, or as forming one of a company, the mode in which he would proceed, I conceive, would be this: he would employ 5,000 *l.* of that capital in the purchase of the land, and 5,000 *l.* in its cultivation; there would be a fund for the employment of the labourers when they had been sent to Australia; but, supposing you went into the money market and borrowed a million of money to send out labourers upon the future sale of land, it would not follow that the parties who lent you that money would contemplate the application of any further capital in the cultivation of the soil; and that, therefore, the amount of labourers might be considerably in excess, as compared with the demand for labour.

62. But, generally speaking, the sending out large bodies of labourers to that country would be an inducement to capitalists either to go out themselves, or to send out their capital, with a view of reaping the profits to be obtained by employing those labourers on the fertile wastes of the colony?—Everything, in my view of the case, depends upon its certainty, and its being immediate; I mean the transmission of capital; because I can quite understand that in the course of a year or two after that body of labourers are sent, the capital will follow; but it follows too late for their immediate employment.

63. Your opinion applies to Australia, but not to the Canadas, where it is known at present a large demand for labour exists?—Yes, supposing the supply to be only equal to the amount of the demand, the case does not occur, because the capital already exists.

64. But supposing a temporary glut of labour, in the case which you speak of,

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of, would it not be in the power of the local government to employ labourers in the interval, before they were absorbed by the demand of the private employers?—It might, certainly; but I should be very cautious how I embarked upon what I conceive somewhat like a speculation; when the interest of individuals, their existence even, might depend upon it, I should like to go upon sure grounds.

65. Sir *George Grey.*] Would not that depend in a great measure upon the amount of local revenues at the disposal of the local government for such purpose, at the period when the supposed excess of labour existed in the colony?—Certainly.

66. Mr. *Scrope.*] But you are supposing the case of Government appropriating large funds of its own; advancing money for the purpose of emigration on a large scale; in that case, if they were to find that they had over-supplied the market for labour, might not a portion of the same funds be applied to the temporary employment of the labourers in public works?—That might be done, of course, but I would rather prefer their employing it at home.

67. Sir *George Grey.*] With respect to the fund which you contemplated as at the disposal of the Government for the purpose of emigration, do you mean a fund arising from a Parliamentary grant to promote emigration, or a loan chargeable on the future proceeds of land sales in the colony?—My answer contemplated an advance of money under either circumstances, and what I wanted to show is, that although it might be carried into effect to a certain extent beneficially, yet I fear it might easily be overdone.

68. Then your proposition does not necessarily comprise a Parliamentary grant for the purpose of emigration?—No; the question turned, as I understood it, upon either a Parliamentary grant, or the raising money in the money-market, and I think my reason would apply to either.

69. Mr. *Scrope.*] Did you ever know an instance of any over-supply of labour to a colony?—I cannot call to my recollection any similar case in which a large fund has been so employed.

70. Mr. *Childers.*] Contemplating an Act of Parliament for the sale of land not saleable under 12*s.* an acre, will you state what injury you think would arise, supposing the sale of the land was as unlimited as consistently with proper surveys it could be?—I own I think it would be better that the wants of the colony should be ascertained more by public competition; that seems to me to be the indication of the amount that ought to be expended in sending labourers from this country, and I would rather trust to the public state of opinion, as indicated by the sales in which there is a free competition, than by sale of a larger quantity of land at a fixed price.

71. But would not the purchase at such a rate as that, which I think under all circumstances we must consider rather a high one, indicate such a demand for land as might freely license that supply, whatever number of labourers were sent out for the sale offered?—The only opinion I can give upon those points is of course more a matter of theory than practice, and I think it would be difficult to give a decided opinion. I think the Act of Parliament must lay down certain rules, but within those rules there ought to be a considerable discretion exercised.

72. But the price of 12 *s.* an acre will supply something like one inhabitant to every 60 acres?—I have not very recently made calculations of that nature, and I am not prepared to give a distinct answer to it.

73. Mr. *Scrope.*] Do you think that the proceeds of the sale of land being applied exclusively to carry out emigrants, the demand for land under those circumstances would be the measure of the quantity of labour required?—So it appears to me.

74. Supposing any other appropriation was made of a part of those proceeds, would not the self-regulating principle be entirely deranged?—Yes, I should think it would.

75. Then if the expence of a colonial government were first taken out of that fund, the benefits derivable from your principle would to a great extent be lost?—Certainly; I think it would be a very injurious application of those funds.

76. Are you aware whether the proceeds of the sale of Crown lands in New South Wales and Van Diemen's Land are exclusively applicable to the conveyance

ance of emigrants from this country to those colonies?—I am not aware exactly of how that is carried into effect. *W. W. Whitmore, Esq.*

77. In the statement you read to us, you dwelt at great length upon the immense benefits that would result to this country by carrying into effect this system; do you not also think that the same or greater benefits would result to the colony in which this system was introduced?—Greater. 10 June 1836.

78. Is it not your principle to facilitate the introduction of capital and labour into colonies which at present have a redundancy of land, and only want capital and labour to increase very rapidly in wealth and prosperity?—Certainly.

Mercurii, 15° die Junii, 1836.

MEMBERS PRESENT.

Mr. Ward.
The O'Conor Don.
Mr. Childers.
Sir George Grey.
Mr. F. Baring.
Mr. William Gladstone.
Mr. Hutt.
Mr. Poulett Scrope.
Mr. Chalmers.

MR. WARD, IN THE CHAIR.

[*The following Papers were delivered in by Sir George Grey:*]

Copies of the Royal Instructions to the Governors of New South Wales, Van Diemen's Land and Western Australia, as to the mode to be adopted in disposing of Crown Lands, together with such parts of any Despatches addressed to them as relate to the same subject, or to the means by which Emigration may be facilitated.—(Parliamentary Paper 328, Session 1831.)

Copies of the Royal Instructions issued to Sir Thomas Brisbane and Lieutenant-General Darling respecting the Establishment and Duties of the Commissioners for apportioning the Territory of New South Wales.

Copies of any Representations made to the Secretary of State reporting the inutility of those Commissioners, and a copy of a Letter on the subject from the Secretary of State, dated 6th May 1830, to the Governor of New South Wales, directing the abolition of that Department.

Copies of the Government Orders.

Copies of all Colonial Government Orders, Notices, Regulations, &c., respecting Grants of Land issued in the Colony of New South Wales, from the year 1823 to 1831, both inclusive.—(Parliamentary Paper 394, Session 1832.)

Copies of Extracts of any Correspondence between the Secretary of State and the Governors of the British Colonies respecting Emigration and the disposal of Crown Lands not already presented to this House; also so much of two Despatches from Colonel Arthur to Viscount Goderich, dated 9th July 1831 and 28th June 1832, as relates to the consumption of Rum in the Colony of Van Diemen's Land, and to the difficulties experienced by the Masters of Assigned Servants.—(Parliamentary Paper 616, Session 1834.)

Information for the use of Military and Naval Officers proposing to settle in the British Colonies; Colonial Office, 15th August 1834:—Circular to the respective Governors of His Majesty's West India Possessions, dated Downing-street, 30th January 1836.

George Stevenson, Esq., called in; and Examined.

79. *Chairman.*] HAVE you had occasion to make inquiries as to the disposal of waste lands in the United States of North America?—I have. *George Stevenson, Esq.*

80. Have you much information respecting them which you can give to the Committee?—I can give all the information I possess. 15 June 1836.

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81. From what sources have you derived your information principally?—Principally from official documents, which I obtained from the American minister, and from observations I have made myself.

82. Have you ever been in the United States yourself?—Yes, I have.

83. Have you resided there for any time?—I was there about four years.

84. Are you now about to settle in any British colony?—I am going out to South Australia in a few days.

85. In what capacity?—As private secretary to the governor, and as clerk of the legislative council.

86. Do you know the quantity of unsold public land now supposed to exist in the territory of the United States?—Yes; it amounts to 1,062,463,171 English acres.

87. Is that the total extent of unsold public land within the federal territory?—It was the total extent on the 28th June 1828, including the region west from the Mississippi to the Pacific Ocean, which region alone is estimated to contain 750,000,000 of acres.

88. Has that been surveyed?—It has not been surveyed.

89. Do you know the amount of land to which the Indian title has been extinguished?—Yes. On the 30th of June 1828, the entire quantity of the public domain unsold, to which the title of the Indians had been extinguished, and which was at the disposal of the general government, amounted only to 205,672,698 acres.

90. What part of this had been surveyed?—About 150,000,000 of acres, up to 1831.

91. How much of this surveyed land has been sold or disposed of?—Not greatly exceeding 40,000,000 of acres.

92. From what source have you obtained this information?—I have obtained it from the report of a Select Committee of the House of Representatives, of the 25th of February 1829, part of it, and the other from the report to the Congress by the secretary of the treasury.

93. Can you give the Committee any information as to the amount of sales for any particular period?—Yes; I have a statement of the sales for a period of nine and a half years, from the 1st of July 1820 to the 31st of December 1829, showing the quantity of land sold in each state and territory during that time, amounting altogether to 8,167,218 acres; that is drawn out as it regards the separate states. It is as follows:

	Acres.	hds.
Arkansas	59,899	36
Louisiana	150,839	35
Florida	336,567	50
Michigan	443,209	23
Mississippi	554,523	82
Illinois	667,200	44
Missouri	923,506	32
Ohio	1,405,267	73
Alabama	1,459,054	78
Indiana	2,169,149	70
Total Acres	8,167,218	23

I am prepared with another statement, which will elucidate this, as it will show the whole amount of the land sold, not distinguishing the particular territory, but showing the progressive increase of the land sold from one year to another:

	Acres.	hds.
Public Lands sold in the half-year ending 31 December 1820	303,404	9
Ditto for the year ending 31 December 1821	781,213	32
Ditto ditto 1822	801,226	18
Ditto ditto 1823	653,319	52
Ditto ditto 1824	749,323	4
Ditto ditto 1825	893,469	69
Ditto ditto 1826	848,082	26
Ditto ditto 1827	926,727	76
Ditto ditto 1828	965,600	76
Ditto ditto 1829	1,244,860	1
Total Acres	8,167,218	63

94. Have

94. Have you the same account for a later period?—No.

95. Mr. *Childers.*] Are you not aware that every year in the United States Almanack the number of acres sold is stated?—No, it is not stated in that document every year; it is stated in some years, but in some of the years' almanacks, I believe, it is not to be found.

96. Have you looked to that for 1834 or 1835?—Yes, I have.

97. *Chairman.*] You have not looked at it with a view to those particular points?—Not as to the amount of acres sold.

98. Do you know in what manner the federal government has acquired its rights to the public lands within the bounds of the Union?—By treaty with foreign powers, by cession and purchase from the Indians, and from particular states of the Union. By the treaty of 1783, between Great Britain and the United States, they first acquired a territory. The Mississippi was acknowledged to be the western boundary of the new republic; on the north the boundary was not specifically fixed, and remains unsettled at this moment, so far at least as the line between New Brunswick and the state of Maine is concerned.

99. By what way did they obtain a right to the great North-Western region, which you state to contain 750,000,000 of acres?—By the treaty of 1803, called the Louisiana treaty, by which Louisiana was ceded by France to the United States. It is under that treaty the United States claim a right to extend their dominion to the coasts of the Pacific; but as Louisiana was acquired only to the extent, to which it had been possessed by France and by Spain, and as while under their rule it had never extended to the Pacific, doubts have arisen as to the legality of the right maintained by the United States to the great extent of territory now claimed.

100. Did they acquire any right to land by the Florida treaty?—That related more to the boundary between the Mexican territory and Spain. The treaty was in 1819.

101. How has the Indian territory been acquired by the Federal government?—By Cession and purchase. The first cession of land from the Indian tribes was made by the Six Nations by the treaty of Fort Stanwix, dated the 22d of October 1784.

102. That was after the recognition of the independence?—Yes. By that treaty the Six Nations yielded to the United States all claims of property in land west of a certain boundary line. The lands belonging to the Six Nations are described and acknowledged in that treaty, and the United States engage never to claim the same, nor to disturb them, nor any of the Six Nations or their Indian friends residing therein, and united with them, in the free enjoyment thereof, but that the lands shall remain theirs until they choose to sell the same to the people of the United States, who have a right to purchase. On their part the Six Nations engage that they shall never claim any other lands within the boundaries of the United States, nor ever disturb the people of the United States in the free use, and enjoyment, thereof.

103. Was this a gratuitous cession, or was there a consideration paid for it?—It was a gratuitous cession.

104. Sir *George Grey.*] What lands by the treaty did the Six Nations surrender to the United States?—The lands are described in the treaty itself; lands which had previously belonged to them.

105. *Chairman.*] Of late years, some consideration has usually been made to the Indians for all cessions of land?—Yes; in the treaties made with the tribes of Indians at different times their title has been purchased.

106. Sir *George Grey.*] Was the consideration of that treaty to which you have referred, that the Six Nations should be insured in the quiet possession of the remaining lands by ceding a part?—Decidedly.

107. For a portion, they were insured the quiet enjoyment of the remainder?—Yes.

108. What proportion did they give up, and what proportion did they retain?—It would be impossible to say that; as the land was not surveyed, the extent of the land belonging to the Six Nations could not at that time be known. The consideration, in other treaties, has been paid in some instances by annuities, money paid down in the first instance; in some instances, terminable at different periods, and in others to continue payable to the tribe for ever. In most instances an annual contribution of blankets, powder and tobacco is added to the payment in money.

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109. Do you know what has been the actual cost to the United States of the Indian land per acre?—The whole expense of the sums paid to the Indians for their lands up to 1826, as stated in a report to the House of Representatives, dated the 16th of February 1827, amounts to 3,868,379 dollars, which, taking the number of acres purchased or ceded by the Indians at about 200,000,000 of acres, gives the cost per acre to the United States at about two cents, or one penny sterling.

110. That includes the value of the blankets?—Yes, the whole expense paid up to 1826.

111. Have you any official information on the same subject of a later date?—I have not; but I know, from my own observation on the spot, that large sums have been expended in removing the Indians from the southern states to the westward of the Mississippi; the Cherokee Indians, the Creek, and other tribes have been removed, and very extensive acquisitions of land have been made in the great western territory, on Lake Huron and Lake Michigan, the Peninsular of Michigan, between the Lake and the Mississippi.

112. The whole western territory was claimed originally by certain of the Atlantic states as their exclusive property, was it not?—It was for a long period; the charter of those states extended from sea to sea, or to the west, without defining any limit.

113. Within the territorial limits of several of the Atlantic states to whom does the unsold public land belong?—Within the territorial lands of several of the individual Atlantic states there is still a considerable portion of the soil remaining unsold, which belongs to the State, or the local government, and is sold for the exclusive advantage of the State.

114. That is not the case in the western, and southern, States?—No. In the new western States, formed out of the cessions to the Federal government by Georgia, Maryland and the other Atlantic states, the unappropriated domain belongs not to the state wherein it is situated, but to the general government.

115. Have you the means of ascertaining the number of acres of land annually sold by individual States?—I have not been able to obtain that for a consecutive number of years, but I know the receipt of certain of the States for the year 1828, which amounted to 209,699 dollars, of which I have made an abstract, which I will beg to state. In the year 1828, the public land belonging to the state of Maine, the sales amounted to 11,394 dollars 20 cents; Massachussets, 2,724 dollars 60 cents; New York, 32,403 dollars 86 cents; Pennsylvania, 95,609 dollars 44 cents; Maryland, 3,814 dollars 92 cents; Kentucky, 32,337 dollars 60 cents; and Georgia, 31,414 dollars 95 cents: in all 209,699 dollars 57 cents.

116. What proportion does this bear to the sales of public lands, during the same year, belonging to the Federal government?—Taking those sales at the sum I have stated, which are not to the complete extent, and comparing them with the sales of public lands for that year, which, as I have said, are not complete, they amount to 1,018,308 dollars 75 cents; that is to say, to nearly one-fifth o the land sold by the general government in the same year.

117. Can you state the number of acres sold in each state, as well as the expenditure and receipts?—I cannot; the produce merely was stated as arising from public lands.

118. Can you state the amount of expenditure of the United States in the purchase, surveys and sales of the public domain?—Yes; to 1828, the whole expense, in reference to the sales of the public domain, amounted to 33,667,576 dollars; the particular items I have here.

119. In what way has that expenditure been incurred?—In the first place, the expenses of the Indian treaties, up to 1826, amounted to 3,868,379 dollars; the payment to Georgia, under the compact of 1802, 1,250,000 dollars; payment to Georgia, on account of the Yazoo scrip, 4,950,000 dollars; purchase of Louisiana, 15,000,000 of dollars.

120. That was by treaty with France?—Yes. Purchase of Florida, 5,000,000 dollars; expenses of surveying 140,000,000 of acres, 2,164,000 dollars; expenses incidental to the sale of public lands, up to June 30th, 1828, 1,435,197 dollars: otal, 33,667,576 dollars.

121. Has not a portion of the public lands sold been appropriated to the use of schools and colleges?—Yes; there have been 7,707,085 acres appropriated.

122. Of that which was put up to sale?—No; they have been reserved for the schools and colleges.

123. In

123. In whom are those portions of land for the schools and colleges vested? —Under the management of the schools and colleges.

124. Is the land vested in the hands of commissioners, for the purpose of endowing those schools and colleges?—They are invested in the colleges; in the case of the great colleges, the land is under the actual administration of the college. In all those appropriations, the land has been invested in the general schools of the state; the state certainly has the control of their funds in that case; but those for the colleges, Yale College and others, the college itself has the control of the land.

125. Sir *George Grey*.] Has the state awarded the proprietary right to the land to the trustees of the colleges?—Yes.

126. Mr. *Childers*.] Can you state the amount appropriated to schools and colleges in each state?—Yes, I will give the amount of the whole appropriations for schools and colleges:

	Acres.	hds.
Ohio	746,583	16
Indiana	492,192	13
Illinois	866,003	96
Michigan	510,858	61
Missouri	1,132,719	41
Arkansas	958,071	11
Louisiana	920,061	66
Mississippi	440,203	72
Alabama	726,139	99
Florida	914,250	–
Total Acres	7,707,085	75

127. *Chairman*.] How were those allotted or distributed among the townships and parishes in the state?—They are distributed in a particular manner; in every township a section of 640 acres is reserved for the support of schools and colleges.

128. Of what does a township consist?—Twenty-three thousand and forty acres.

129. Is the land placed at the disposal of certain authorities in the state or the township to be sold for the endowment of those schools, or kept as land appropriated for that particular purpose?—It is appropriated for that particular purpose; they may make as much as they think proper of the land, or use it in any way they choose.

130. But they have not the right of disposing of it?—I believe they have not.

131. Mr. *Childers*.] Six hundred and forty acres is one square mile?—Yes.

132. Is it allotted in one lot of a square mile, or allotted so much in every subdivision of the township?—I think there is only one allocation of 640 acres in the township.

133. These townships are divided into smaller divisions, are they not?—Into half sections and quarter sections.

134. Are there not larger divisions of them previously?—The first division is the township, the next a section, the next a half section, 320 acres, and a quarter section.

135. Twenty-three thousand and forty acres is 36 square miles?—Yes.

136. One thirty-sixth part is allotted to schools?—Yes.

137. You think it is allotted in one lot of 640 acres?—I do.

138. Mr. *Gladstone*.] With reference to the employment of the school lands, are there not some educational establishments in America where the pupils cultivate the lands?—I believe there are.

139. Do you know whether that is the case with schools as well as colleges?—I am not aware.

140. *Chairman*.] Have there been any appropriations made for the army?—Yes; in 1776 Congress made provision for granting the public lands to officers and soldiers engaged in the revolutionary war, in certain proportions, which were fixed by a resolution, dated September the 30th, 1780. These are the proportions: A major-general had 1,100 acres; brigadier-general, 850; colonel, 500; lieutenant-colonel, 400; major, 400; captain, 300; lieutenant, 200; ensign, 200; non-commissioned officers or private soldiers, 100 acres each.

141. Were those all the donations made at that time?—By the resolution of Congress of the 23d of April 1783, donations of land were given to the refugees from

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from Canada, in consequence of their participation in the revolutionary war. The head of each family received a quantity of land not exceeding 1,000 acres; to the widows and heirs of those who declared that they had abandoned the dominions of the King of England, and died in the United States, a quantity of land not exceeding 100 acres was given; 60,000 acres of the public lands were awarded to the troops of Virginia, by an Act of Congress, dated August 10th, 1790. The military donations in the war of 1812 amounted to 6,000,000 of acres; of this there was a bounty for enlistment to common soldiers of 160 acres of land, and on discharge or expiry of their term of service 320 acres.

142. After what number of years' service?—I am not aware of the number of years for which they were engaged.

143. Are there any general reservations applicable to all sales of public lands in the United States?—Yes; those reservations to schools and colleges, a reservation of all salt springs and lead mines.

144. Do you know of any sales to individuals or companies or states at a price less than the general minimum price?—Yes; there was a sale to the state of Pennsylvania of a tract of land on Lake Erie, containing 202,187 acres, at three quarters of a dollar per acre; to the Ohio Company a tract of one million and a half acres, at one dollar per acre; the condition of this last grant was that the company was bound to grant, free of all price, 100,000 acres, in lots of 100 acres each, to every male person being an actual settler, and not less than 18 years of age; the third was a settlement to Mr. Symmes of a tract of 1,000,000 of acres, at not less than one dollar per acre, with a deduction of one-third of a dollar for bad lands.

145. Was this all surveyed land?—Yes.

146. Can you give the date of those sales?—Those donations were previous to the alteration in the price of the land, in 1820.

147. What title do the purchasers of the land obtain from the government?—Prior to the 25th of April 1812, grants of land were issued by letters patent from the home department of state; but by an Act of that date a general land-office was established, in which all patents for land are made out and registered.

148. Where is that office?—At the seat of government, Washington.

149. Is it a special office for this particular purpose?—Yes, an office in connexion with the treasury department, and superintended by an officer, designated the commissioner of the general land-office.

150. Are there subordinate district land-offices?—Yes, there are 40 district land-offices.

151. With an officer and superintendent in each?—Yes; there is a registrar of the land-office, and a receiver of public monies in each.

152. What salaries do those persons receive?—They receive a salary of 500 dollars, and a commission of one per cent. each on the monies paid into their office.

153. Will you state the manner in which the public lands are surveyed and sold now?—When it is necessary to make a survey, the surveyor-general makes the requisition publicly known to those individuals who are in the habit of contracting for public surveys, and a contract is always entered into between the surveyor-general and the surveyor who bids the lowest for it, the surveyor-general being satisfied of his capability to execute the task.

154. How is it as to the seller?—Whenever the public interest is supposed to require that a certain portion of territory should be brought into the market, the president issues his instructions to the surveyor-general, to survey the portions which may be wanted; but there is a general rule, that in every land district there should be two sales annually of about 20 townships each; that there should be a half-yearly sale of 20 townships in every district.

155. Sir *George Grey.*] In each of the 40 districts you have referred to?—Yes; 20 townships are half-yearly put up for sale.

156. Mr. *Gladstone.*] Are they sold at a minimum price; or what is done in case of a bidder not appearing?—They are sold to the highest bidder.

157. *Chairman.*] What sums are paid for executing the public surveys?—Three dollars a mile in the upland and prairie countries for an actual survey; this is the maximum price established by law; and four dollars in the southern parts, where the lakes, swamps and cane-brakes are more numerous.

158. They get the work performed by contract as much under the maximum price as possible?—Yes.

159. Are

159. Are you aware what the actual price of surveys would be?—I believe they generally reach the maximum price; I have heard the surveyors themselves complain of the lowness of the sum which they received from government.

160. They consider the remuneration inadequate?—Not sufficient.

161. Sir *George Grey.*] Are you aware whether tenders are permitted, and whether there is any considerable number of surveyors who bid for the contract?—There is always in America great competition for government employment; but I think the local surveyors of the neighbourhood are generally preferred to strangers; I do not think that there is much competition by strangers.

162. The *O'Conor Don.*] What determines the choice of the surveyor?—The surveyor-general determines on the capability of the surveyor.

163. Mr. *Gladstone.*] Is it understood that the lowest tenders are accepted?—I am not aware that that is understood; I only know the surveyor-general has not power to pay more.

164. *Chairman.*] He has always a discretion where he is not satisfied of the capability of the man who makes the lowest tender?—Yes.

165. Is there any general rule by which the amount of sales in each district is regulated?—The rule is, 20 townships every half year; that is the general rule; but in cases where there is a great influx of settlers, as there has been of late years in the upper part of Michigan, the sales of land have, I believe, been treble and quadruple that extent; but the general rule is to open 20 townships in each district every half year.

166. By what authority is that rule established?—Custom, I believe; but the President has the power to order a much larger quantity to be brought into the market.

167. That larger quantity cannot be sold except by the authority of the President?—By the authority of the President, communicated through the General Land-office to the different surveyors.

168. Mr. *Childers.*] On an average, are there 40 townships sold in every district?—It does not follow that they are sold; they are offered for sale.

169. *Chairman.*] You have stated that formerly the right to lands sold was granted by patents from the Home department, but that has been now changed; can you state the mode in which it is sold now by Act of Congress?—Yes, I can; by the Act of 24th of April 1820, section 2, it was provided that credit should not be allowed for the purchase-money on the sale of any of the public lands which should be sold after the 21st of July 1820; but every purchaser of lands sold at a public sale should on the day of purchase make complete payment therefor; and that the purchaser at private sale should produce to the registrar of the land-office a receipt from the treasurer of the United States, or from the receiver of public monies of the district, for the amount of the purchase-money on any tract before he shall enter the same, at the land-office; and if any person, being the highest bidder at public sale for a tract of land, should fail to make payment therefor on the day on which it is purchased, it was also provided it should be again offered at public sale on the next day of sale, and such person should not be the purchaser of that, or any other tract, offered at such public sales.

170. Sir *George Grey.*] Do you mean that he could not be the purchaser at any future time?—Not until his first bargain had been disposed of. I have made an abstract of the Act, which I have before me, and which I will read. The third Section of the same Act provides that the price at which the public lands shall be offered for sale shall be 1 dollar, and 25 cents, an acre, and at every public sale the highest bidder who shall make payment as aforesaid, shall be the purchaser; but no lands shall be sold either at public, or private, sale for a less price than 1 dollar and 25 cents an acre; and all the public lands which shall have been offered at public sale before the 1st day of July 1820, and which shall then remain unsold, as well as the lands that shall thereafter be offered at public sale according to law, and remain unsold at the close of such public sale, may be sold at private sale, by entry at the land-office, at 1 dollar and 25 cents an acre, to be paid at the time of making such entry, with the exception, however, of the lands which may have reverted to the United States for failure in payment, and of certain reserved sections for the future disposal of Congress, in the states of Ohio and in Indiana.

171. *Chairman.*] Was that the first period at which there was any fixed price for that land?—No; previous to that period the land was sold at 2 dollars an acre, on credit.

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172. When was the price first fixed for the land?—On the 18th of May 1796; that was 2 dollars an acre, with credit given.

173. Was that fixed by Act of Congress?—Yes.

174. Were there any particular conditions attached to the purchase at that time?—By the 7th section of the Act of 18th May 1796, the purchaser was required to deposit at the time of sale one-twentieth part of the amount of the purchase-money, to be forfeited if a moiety of the sum bid, including the twentieth part, was not paid within 30 days; upon such payment, the purchaser had one year's credit for the residue, and was entitled to a certificate, describing the land sold, the sum paid on account, the balance remaining due, the time when such balance became payable, and stating that the whole land sold would be forfeited if the said balance was not then paid, but that if it was duly discharged, the purchaser or his assignees, or other legal representatives, would be entitled to a patent for such lands; and on payment of such balance within any specified time, and producing to the secretary of state a receipt for the same, upon such certificate the president was authorized to grant such patent.

175. Was the land forfeited under any circumstances?—Yes; in case of a failure of any payment, the sale was void; all the money theretofore paid on account of the purchase was forfeited to the United States, and the lands thus sold were again to be disposed of, in the same manner as if a sale had never been made.

176. Were those conditions strictly enforced?— I believe they were not; they were suspended in favour of actual settlers by Act 15th April 1806; and by subsequent Acts, frequent indulgence was given to purchasers of public lands, until at length the debt due to the United States becoming very large, and onerous to purchasers, the system of land sales was entirely changed, and the credit on sales was abolished, as I have stated.

177. It was then that the present system of the sale of public lands commenced?—Yes.

178. Will you state how the existing system is conducted?—The Act directs that several public sales shall take place every half year, and shall be kept open for two weeks, and no longer; and the registrars of the land-office and the receivers of public money shall be paid 5 dollars for each day's attendance on the public sales. When two or more persons apply for the purchase at private sale of the same tract, at the same time, the registrar determines the preference by forthwith offering the tract to the highest bidder of the two, or more.

179. Mr. *Childers.*] That is, after the auction is over?—Yes.

180. *Chairman.*] All lands must, in the first instance, be offered for sale by auction, and then the lands unsold at the auction may be disposed of by private contract to any purchaser?—Yes, at the minimum price.

181. But if there are two competitors for the same land a competition takes place, and it is sold to the highest bidder?—Yes.

182. Are there effectual means taken to secure the publicity of all the public sales, and operations of the land-office?—There are.

183. What are they?—The receiver of the public monies and the registrar of the land send a periodical report to the general land-office, containing the whole receipts, the number of sections, half sections and quarter sections sold, and the receipts, and remit the money at the same time to the treasury. The previous publicity is by advertising in the local newspaper that on such a day such sections of land will be sold, and a report of those sales, and the valuations, are sent to the general land-office at Washington by the chief land officer, reported to the Secretary of the treasury, and by him to the Congress.

184. Those reports are accessible to every individual at certain periods?—Yes, and a great number of copies are published for distribution, as is usual with all reports.

185. So that no malversation or favouritism could take place in those offices without being immediately detected?—I do not think it is possible.

186. Mr. *Scrope.*] How are the sections selected which are to be put up for sale periodically?—They are generally put up in the mass; a township is put up, and a section of that particular township is put up.

187. How are the particular townships selected?—By the surveyors, and officers of the land-office.

188. On what principle do they act?—On the inclination of the settlers to purchase; if a large party should say, we wish to purchase land in a particular part,

part, the surveyor will order that part to be surveyed, if not already surveyed, but in general there is such a large quantity of land surveyed that that is seldom necessary, and when any persons select land which has been once offered at public sale, they can enter it at once by private sale in the land-office, by putting down the money and selecting for themselves.

189. There always remains a large portion of land on hand that has been put up to auction, but not disposed of?—There is in some of the states; but in the western states there is not; there is generally a demand for land; but in some of the districts, where the location is not very desirable, that may not be the case.

190. Mr. *Childers.*] Is there not always kept in the market a supply, so that persons can always find lands?—No, there is not; in one instance, I know there was a very large tract of land which had not been surveyed, but which has now been surveyed and sold. There was an immense number of people from the lower states came up and squatted upon the land, and when the government heard it was a desirable location, they immediately ordered it to be surveyed, and it was surveyed, and is now sold and settled.

191. Do you mean that in the land-office there was generally land on sale?—Yes; it is left on sale in the office, and, in fact, cannot be withdrawn when once offered.

192. *Chairman.*] What would they do with respect to squatters in a case of that description?—The right of pre-emption has been generally given to squatters who have improved the land, but I believe at the present moment it is withheld; there is, however, a feeling where squatters go to the land sales, when that land comes into the market, that they shall be allowed to purchase the section, or half section, or quarter section, they have improved, without opposition; that is a feeling always at the land sales, and with the persons who come to bid for the land.

193. There is no government regulation to this effect?—There was for many years, but I believe now the right of pre-emption is not conceded by law.

194. Mr. *Childers.*] Are there not sometimes jobbers who have no such feeling towards the squatters?—Yes, there are; but the feeling would be so strong against them, if they were to deprive the squatters of their land, it would be impossible for them to occupy it.

195. Sir *George Grey.*] Do you know whether any quantity of this land is bought for the purposes of speculation, or generally for occupation?—I believe, in some cases recently, there have been large Companies formed to purchase land in the Western territory, but it has been purchased principally by actual settlers.

196. *Chairman.*] There is no limit on the purchase by individuals, or companies?—They can purchase every acre in the market.

197. The only limit is the quantity of land put up to auction?—Yes.

198. Mr. *Childers.*] Are they put up in sections?—In 640 acres, which is called a section.

199. Sir *George Grey.*] Are there no lots of less than 640 acres sold at those public auctions?—There is an exact account which can be referred to; I believe, in some instances, 80 acres, a quarter of a section, has been sold.

200. Does the Act prescribe the amount of the lots?—It does not.

201. The *O'Conor Don.*] Is there any necessity imposed of settling the land which is sold?—Not the least; in the state of New York, and most other states, there is, however, a heavy tax, which operates on settled, and unsettled, lands.

202. Mr. *Childers.*] Is there not a land-tax in the states?—There is a state tax.

203. What is the amount of that?—It varies so much in different states, it is impossible to give a statement of that.

204. What is it in the western states?—A small tax, never exceeding four or five cents an acre, I believe.

205. *Chairman.*] You mean a tax on cultivated, and uncultivated, lands?—The proprietor of a section pays a certain tax for the section, whether cultivated or not.

206. Is there not a higher tax in the western states on uncultivated, than on cultivated, land?—I believe not; there are some states where nearly the whole public revenue is derived from the land-tax; but more or less in every state there is a land-tax.

207. The *O'Conor Don.*] Supposing there were 20 townships set up, and there were only 10 sold, might there be 10 new ones set up notwithstanding some of them were not sold?—That is the general rule acted on.

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208. Sir *George Grey.*] Are there any provisions by law to prevent the settlement of persons on lands not settled by law to which they have not acquired a right of purchase?—I am not aware of any provision by law for that; I know it is constantly set at defiance.

209. Practically, persons do settle on lands to which they have not acquired a right by purchase?—Yes.

210. And no means are taken to dispossess them?—On the contrary, they are allowed to cut timber, and to use the land precisely as they think proper.

211. That land is put up afterwards in due course, as if they had not settled upon it, and then they are liable to be dispossessed?—Yes; but I have never known an instance in which they have been dispossessed; they have generally been able to make a sufficiency of money in the time of squatting to enable them to purchase it.

212. Mr. *F. Baring.*] A great part of the value of these lands is the timber; when the squatter has settled upon the land, and has cut down a part of the timber, has it been the custom of the surveyor to value the land in the state in which he found it after the squatter has settled on it, or does he account for the timber?—The surveyor never values the timber; the greatest nuisance to a settler is the timber; he pays to have it burnt.

213. Are there not some parts where the timber is of great value?—Of course.

214. In what way is the value of the timber taken when the surveyor surveys the land?—The surveyor never values the land; he surveys the quantity of land contained.

215. *Chairman.*] The sale by auction gives the value?—Yes; above 1 dollar 25 cents. On the St. Lawrence the timber is of value, because it supplies the steam-boats; near a navigable river that is the case.

216. Mr. *Childers.*] Practically, anything done by squatters on land before it is sold is not taken into consideration?—No, so far as it concerns the return to the public treasury.

217. Sir *George Grey.*] The squatters, when they become purchasers, are not called upon to account for any timber they have cut, or any improvements they have made?—No, they have the sole benefit of that.

218. Mr. *Childers.*] Do you know practically what has been the amount per acre of the lands sold of late years, whether it has produced much more than 1 dollar and 25 cents per acre?—I believe not; I believe very little more than the minimum price has been returned to the public treasury.

219. *Chairman.*] Are you aware of the actual receipt of the United States government from the sale of waste land?—Yes; I have a statement of the actual receipts from the first sale in March 1795 to the latest returns.

220. Will you give an abstract of that?—I have made an abstract of the different years:

	Dollars.	£.
4 March 1796	4,836 =	1,007.
1797	83,540 =	17,404.
1801	167,726 =	34,942.
1804	487,526 =	101,568.
1806	765,245 =	159,426.
1811	1,040,237 =	216,716.
1816	1,717,985 =	357,913.
1818	2,606,564 =	543,034.
Occasional decrease and fluctuations.		
1833	3,967,682 =	826,600.
1834	4,383,462 =	913,221.
1835	11,000,000 =	2,291,666.

221. Have you any account of the actual receipts by government for land sold during the early part of this year?—I have; for the first quarter, ending the 31st of March last, 4,439,650 dollars; the total without this, in 40 years, was 59,707,439 dollars.

222. That is exclusive of the first quarter of the present year?—Yes; all together, 12,439,000 *l.* sterling. I have the statement for each year.

[The Witness delivered in the following Papers :]

George Stevenson, Esq.

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RECEIPTS of the FEDERAL GOVERNMENT of the *United States*, the Produce of the Sales of PUBLIC LANDS, from 4 March 1795 to the latest Returns.

For the Year ending	AMERICAN. Dollars.	Cents.	ENGLISH. £.	s.	d.
4 Mar. 1796	4,836	13	1,007	10	6½
– 1797	83,540	60	17,404	5	10
– 1798	11,963	11	2,492	6	3½
– 1799	—		—		
– 1800	443	75	92	8	11½
– 1801	167,726	6	34,942	18	7
– 1802	188,628	2	39,297	10	1
– 1803	165,675	69	34,515	15	4½
– 1804	487,526	79	101,568	1	7½
– 1805	540,193	80	112,540	7	6
– 1806	765,245	73	159,426	3	10½
– 1807	466,163	27	97,117	6	11½
– 1808	647,939	6	134,987	6	1
– 1809	442,252	33	92,135	18	–½
– 1810	696,548	82	145,114	6	9
– 1811	1,040,237	53	216,716	3	–½
– 1812	710,427	78	148,005	15	9
– 1813	835,685	14	174,101	1	5
– 1814	1,135,971	9	236,660	12	10½
– 1815	1,287,959	28	268,324	17	–
– 1816	1,717,985	3	357,913	10	11½
– 1817	1,991,226	6	414,838	15	3
4 Mar. 1818	2,606,564	77	543,034	6	6½
– 1819	3,274,422	78	682,171	8	3
At this time the upset-price of public land was lowered by Congress from two dollars to 1¼ dollar per acre.					
– 1820	1,635,871	61	340,806	11	8½
– 1821	1,212,966	46	252,701	6	11
– 1822	1,803,581	54	375,746	3	1
– 1823	916,523	10	190,942	6	3
– 1824	984,418	15	205,087	2	3½
– 1825	1,216,090	56	253,352	4	–
– 1826	1,393,785	9	290,371	17	10½
– 1827	1,495,845	26	311,634	8	7
– 1828	1,018,308	75	212,147	13	1½
– 1829	1,457,004	66	303,542	12	9
– 1830	2,329,356	14	485,282	10	7
– * 1831	3,000,000	–	625,000	–	–
– 1832	2,623,381	3	546,537	14	3½
– 1833	3,967,682	55	826,600	10	7½
– † 1834	4,383,462	6	913,221	5	3
– ‡ 1835	11,000,000	–	2,291,666	13	4
TOTAL from 1796 to 1835	59,707,439	58	12,439,049	18	3

1836 : An estimate for this year has been made by a remarkably well-informed correspondent of the Times, "A Genevese Traveller," who, in his letter, dated Washington, 27 February 1836, says, "It has already been remarked, that in 1835 the proceeds of the public lands amounted to four times the sum at which they were estimated by the secretary of the treasury. During January of that year the receipts from that source were about $ 920,000 (191,666*l.* 13*s.* 4*d.*); during January of the present year (1836) they exceed $ 2,000,000 (416,666*l.* 13*s.* 4*d.*), and will amount to more than $ 20,000,000 (4,166,666*l.* 13*s.* 4*d.*) in the course of the year, being a surplus of from $ 3,000,000 (625,000*l.*) to $ 5,000,000 (1,041,666*l.* 13*s.* 4*d.*) beyond all the ordinary expenses of the government for the year 1836.

* Estimated by Mr. Clay, in February 1831, to produce $ 3,000,000. No official return of the actual amount procured or to be obtained at the embassy.

† The only returns for this year are for the first three quarters, which are stated at $ 3,255,096. 40. Supposing the fourth quarter to have been equally productive, the receipts for the year would be $ 4,383,462. 6.

‡ The president, in his speech, stated that the proceeds of the sales of public lands for 1835 amounted to this sum. No official report has yet been received in England.

223. Mr. *Poulett Scrope.*] You mentioned that some sales had taken place at less than a dollar and a quarter per acre, but that was before 1820; have any sales, to your knowledge, taken place at less than a dollar and a quarter per acre since the new regulations came into effect?—I believe not; it is not in the power of the President or any person to sell at less.

224. *Chairman.*] Has not there been a grant to General Lafayette since that?—That was by Act of Congress; it was a grant of about 300,000 acres, by Act of Congress.

225. Mr. *Scrope.*] Is there any allowance made for water-surface, or bogs?—I believe there is; it is not included in the quantity of land sold; I believe running water is included.

226. Mr. *Childers.*] Have they not the power of surveying, more or less, where they are interfered with by water, than a section, or part of a section?—Yes; they do not in general include still water in the survey, but they include running water.

227. If they come to a lake, have they not power to make a section rather more or less than the ordinary sections, in order to allow for the inequalities of the land?—I believe they have not.

228. Mr. *Scrope.*] In marking out the sections to be made, do not they proceed geometrically, in lines parallel to the latitude and longitude?—I believe they do.

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229. Then they must include the lake?—Yes, so far as it comes within the square. I presume our idea of a lake is not on the American scale; the lakes there are large; they would not take any notice of a small lake; moving power is always included, but not the still water.

230. If half of a township consisted of lake, would not the price paid be a dollar and a half for the land, making 320 instead of 640?—The 640 acres is always put up at the private sales; I believe you may bid for any part, 80, 160, 320 or 640.

231. Mr. *F. Baring.*] Have you any knowledge of the manner in which local impositions are distributed for the purpose of making roads, or for the establishment of levels along the banks of the river, money being raised by local jurisdiction, and not by State law? Have you any knowledge of the forms, or authorities, by which those public works are carried into effect?—Every State regulates its own roads and affairs; I believe in many States the occupiers of lands are obliged to give so many days' personal labour upon the roads.

232. Are you aware, that if a person held a large tract of wild land in some States, any four of the neighbouring parishes may meet together, and establish an obligation upon him to make a road through his land, without the necessity of recurring to the State legislature for that?—That may be in some of the southern States, but I am not aware that the parishes have any right in the western States.

233. Mr. *Scrope.*] Is there any power reserved in the State to cut roads across tracts of land that have been disposed of, or to carry into effect any other public works?—By any act of the State legislature they can cut a road without the slightest ceremony through any land, the general government having nothing to do with it.

234. Mr. *Childers.*] Is that with, or without, compensation?—With compensation.

235. Mr. *Scrope.*] Has the commissioner at the head of the Land-office at Washington any political duties, or is his duty confined to the sale of lands?—He has no political duties whatever; his duty is exclusively devoted to the sale of lands.

Jovis, 16° die Junii, 1836.

MEMBERS PRESENT.

Mr. Ward.	Mr. Scott.
Mr. Childers.	Mr. Poulett Scrope.
The O'Conor Don.	Mr. Chalmers.
Mr. Hutt.	Sir George Grey.
Mr. William Gladstone.	

MR. WARD, IN THE CHAIR.

Mr. *Richard Davis Hanson*, called in; and Examined.

Mr. *R. D. Hanson.*

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236. YOU have turned your attention a good deal to the subject of colonization, have you not?—To a very considerable extent, and for some years past.

237. You belong to the South Australian Society?—Yes; perhaps I may as well mention the circumstances which led me to turn my attention to the subject of disposing of waste lands in the Colonies, that the Committee may see the means I had of acquiring information. Rather more than six years ago, I first had my thoughts turned to emigration; and I then proposed a settlement in Upper Canada; but wishing of course to acquire as much knowledge of the state of the country as I could before I went out, I read all the books I could find, and made inquiries, the result of which showed me there were some circumstances in the social condition of that country, which would render it very highly inexpedient with my views to emigrate there; and just at the same time, I was led, from communication with persons endeavouring to establish the South Australian Colony, to imagine that those circumstances resulted from the mode which was adopted for disposing of waste land; and from that time up to the present, I have been engaged in studies connected with colonization, and particularly with a view to the effect which the disposal of the waste lands has had on the social condition of the colonies.

238. You

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238. You are prepared to go into an account of the system under which waste land has been granted from the earliest time?—Yes, in the English colonies.

239. When was the first grant made for the purpose of colonization?—The first grant of land, made for the purpose of settling a colony, was made by Queen Elizabeth to Sir Humphrey Gilbert; it was a grant of the whole Eastern coast of North America, not then in the possession of any Christian monarch, with power to Sir Humphrey Gilbert to settle where he pleased, and in what manner he pleased, to make what laws he thought fit for the regulation of the settlement he formed, so that those laws might be as far as possible conformable to the law of England, and to expel from the coast any person, who, without his license, should establish himself there within 200 leagues of any settlement that he should establish within six years from the date of the charter.

240. So that, in point of fact, by this charter, the Crown deprived itself of all control over the land thus granted, including 400 leagues of sea coast?—Yes, it did; the whole was granted to one individual.

241. Was there anything done under this grant by Sir Humphrey Gilbert?—Sir Humphrey Gilbert perished very shortly afterwards at sea, and nothing was done under that grant at all, no settlements were made under it.

242. What was the next grant made?—The next grant made was by Queen Elizabeth to Sir Walter Raleigh; it was precisely the same in its terms as that previously made to Sir Humphrey Gilbert.

243. What was done under this grant?—Sir Walter Raleigh made two or three attempts to form a settlement, in all which he failed, in consequence, as it appears to me, of the great facility of acquiring land by every person who went out, and the want of any regulations tending to keep the settlers together; it perished completely. Sir Walter Raleigh, being unable to continue the attempts to found the colony, assigned all property in it to Sir Thomas Smith, who was a merchant of London, and who formed a company for the purpose of establishing a colony; but that colony, from similar causes, perished. Sir Walter Raleigh made two attempts; Sir Thomas Smith made one.

244. Had the company the whole power of disposing of the land in the colony?—The whole power of disposing of the land in the colony, and the whole power of making laws and governing it was vested in the company, under the assignment to Sir Walter Raleigh. Sir Thomas Smith afterwards relinquished his charter, and a new charter was granted by James the First, under which the colony of Virginia was established.

245. Was that granted to a company?—Yes.

246. Was the power of disposal of the land vested in the company?—It was.

247. What regulation did they adopt for the disposal of land?—They adopted regulations by which there were certain modes of acquiring possession of waste land; the first was, that every person who was a subscriber of 12*l.* 10*s.* in the capital of the company should be entitled to 100 acres of waste land in the colony; and that every settler in the colony, who would undertake to settle himself on the land, was to have 100 acres. The company had the power of granting any tracts of land they thought fit to any person who might, in their opinion, have done any services to the colony, which rendered such a reward proper, and they also disposed of land by sale.

248. So that, in fact, there were four modes of acquiring a title to land; by settlement, as a reward for services, by subscribing to the stock of the company, and by purchase?—Yes.

249. What appears to have been the operation of these modes of disposing of land?—The effect was, that in consequence of the large grants made by the company, under the power to reward persons for services to the company, in consequence of the facility possessed by every body who went out there for acquiring 100 acres of land, the colonists were so much dispersed as not to be able to afford one another assistance in the different works for raising food and building houses, and so on; and it was impossible for any settler to obtain another to work for him; they were unable to procure the labour of other persons.

250. What steps were adopted to remedy this?—They adopted two measures; first, they had convicts assigned to them from England, assigned as servants by the governor to the different settlers, and they purchased slaves; the first convicts were sent to them in 1630; the convict system was introduced in the year 1630. The first purchase of slaves was made by colonists in 1624.

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251. The colony at that time had been established about 20 years?—About 20 years.

252. During that time the colonists had suffered much from the want of co-operation and combined labour?—To an extent scarcely credible, from their inability from their dispersion to raise the necessary supplies of food.

253. Which sufferings are attributable mainly to the system under which land was disposed of, and the great facilities given to individuals of acquiring property in land?—I think the greater part of the difficulties arose from that, although there were undoubtedly other circumstances which tended to increase them; but if I were asked for that which was the main cause of it, undoubtedly it was the facility of obtaining land, and the monopoly of the trade of the colony by the company, and one or two other circumstances.

254. Mr. *P. Scrope.*] How do you account for the intense suffering following the facility in obtaining land?—I should account for it in this way: that the colonists, being settled individually over a large tract of country, were unable, or at least did not raise sufficient food to support themselves; as soon as they were able to obtain persons who would work for them, they obtained a sufficiency of food, and of exchangeable produce; and finding that that effect followed immediately the introduction of labour, which they could employ in combination, I have been led to imagine that a very considerable portion of the evils they previously suffered resulted from their inability to procure any labour they could employ thus in combination.

255. If the sufferings you speak of, when they wanted a sufficiency of food, arose from their injurious dispersion, why was that practice followed?—If they had understood that that was opposed to their interests, of course it would not have been so; but, in fact, they thought that it was necessary to get a certain quantity of land, and to settle themselves upon it.

256. Would they not the first season have found it to be necessary to concentrate themselves, to get a sufficient supply?—I can only say that they did not.

257. *Chairman.*] Has it not been invariably found the case, that where land has been so cheap as to induce persons to seek a large quantity, each man takes more than he can cultivate, and thus isolates himself, and separates himself from his neighbours, and there is consequently no combined labour, without he has either convicts, or slaves to assist him?—Undoubtedly that is the case; it is my opinion, and an opinion I can illustrate in the case of almost every colony.

258. How long did those regulations for the disposal of land, to which you have alluded, remain in force?—Till the dissolution of the company, in 1624; the slaves were brought there in consequence of the cessation of the monopoly of the trade of the colony.

259. What regulations were introduced subsequently?—The power which the company had previously of granting land vested entirely in the Crown, and land was granted either by the Crown, or by the Governor in council, on petition of the settler; at the same time, the regulation that every person going out should be entitled to a certain quantity of land was continued.

260. *The O'Conor Don.*] Were slaves introduced by the company?—They were not; it was in consequence of the cessation of the company their introduction was rendered possible.

261. *Chairman.*] There were then three modes of obtaining land, by grant from the Crown, by grant from the colonial assembly, and by settlement?—There were.

262. Two of those were subject to conditions; were there any conditions on the third, that of settlement?—Not that I am aware of.

263. What was the result of the introduction of convict and slave labour into Virginia?—Perhaps I should not state it to be the result of the introduction of convict and slave labour into Virginia, but as being next to it in point of time; immediately they obtained the possession of convicts and slaves, they were enabled to raise a sufficient quantity of food for their sustenance, and they suffered no more inconvenience from the privation of food; they were enabled to raise a large quantity of tobacco, which they sold in England, and with the price of this they were enabled to acquire the different conveniences they required, and with the price of which also they were enabled to acquire wives, because, at the first settlement of the colony, scarcely any but males went there. There was great reluctance felt on the part of females in England to go out to join the settlers; and they entered into a bargain with captains of vessels, that they would pay

them

them 150 lbs. to 200 lbs. of tobacco for every virtuous young woman they brought over to the colony; and those women, thus purchased with tobacco, became the mothers of all the great men in Virginia; the whole of them, I believe, were descended from families originating in this way.

264. When were the regulations adopted for the settlement of Carolina?—The Crown there granted the whole of the land to eight proprietors, at the head of whom was Lord Clarendon.

265. In what year was that?—In the year 1666.

266. Do you mean that the whole of the property of the Crown in that State was parted with to those eight proprietors?—Entirely.

267. What were the regulations adopted by those proprietors with regard to the disposal of land?—They granted 100 acres of land to every free settler who would establish himself in the colony, and 50 acres in addition for every servant who should be brought out by any such settler within five years of the date of his grant.

268. How long did the proprietorships of the colony remain in the hands of those persons?—Till 1742.

269. On what terms did they part with those rights?—They sold their rights to the Crown for 17,500 *l.*

270. What mode of disposing of land did the Crown subsequently adopt?—The regulation granting a certain quantity of land to every settler, appears to have been done away with after the property had vested in the Crown; independent of that, the disposal of the land in the colony was possessed by the Crown, and the governor and council in the colony.

271. When the province of Massachussetts was settled, what regulations were adopted for the disposal of land?—The whole of the land of the province of Massachussetts was granted by charter to the body of the colonists who went thither, who were enabled to dispose of it in such manner as they thought best.

272. The whole of the land in this colony, instead of being vested in the Crown, from the commencement was considered public property?—The whole of it.

273. In what manner did the colonial assembly grant those lands?—They erected them into townships, which were six miles square, containing 36 square miles, divided into 63 equal lots; one of those lots was apportioned to the first settled minister in the township as an inheritance, one set apart for the use of the minister as Glebe land, one set apart for a school, and the other 60 lots were granted to 60 persons, who should within five years from the date of the grant erect a house of 18 feet square, and should have seven acres of land fit for ploughing, or sowing, that is, cleared. The conditions upon which this grant was to be made were, that the township should maintain an orthodox minister, and should build a place for public worship within five years. Every township of 50 families was to maintain a schoolmaster, and every township of 100 families was to erect a grammar-school.

274. Those were the only terms of the grant?—They were.

275. In what year was this arrangement made?—In the year 1628.

276. Were there any exceptional grants?—At the commencement of the colony there were several exceptional grants made in favour of the minister, and the leading men of the colony who had emigrated there.

277. What was the effect of them?—The effect was to create a very great degree of dissatisfaction among the colonists in consequence of the additional labour required to make roads, and communicate with each other, and attempts were made, which caused a great feeling of hostility, to dispossess those large proprietors of the land they had acquired, which they were unable to cultivate.

278. Were there any laws which were calculated to diminish the injury which might have resulted from those grants?—There was one law which had a great tendency to diminish the injury from the large exceptional grants, which was, that every person who had been an occupier of land for five years, without having been disturbed, should acquire a title to that land by prescription. The evil effects which resulted in the first instance from the large extent of the townships, in comparison with the extent of population settled upon them, were diminished by the political power which those townships had of regulating their own affairs in every respect, which caused them to build their houses close together, and by the law that no person should settle at more than a certain distance, two or three miles, from a meeting-house.

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279. Was there any law compelling the cultivation of land granted?—Not any that I can state as to those which had been sold five years.

280. Were any of those grants subject to a reservation of quit rent?—In some instances, but very few, and then applied for the purpose of maintaining a school.

281. What appears to have been the general effect of the mode of disposing of land adopted in this colony?—The general effect appears to have been a great superiority of condition of the people over those of the old colonies which were established, and in which the power of disposing of land was vested in the proprietors; but there was felt from the beginning, as appears from the history of the colony, a great difficulty in obtaining servants; there was scarcely a possibility of obtaining hired labour.

282. There was a want of concentration, and a tendency to dispersion?—The dispersion was counteracted to a certain extent by the regulation to which I have referred; but there was, at the very same time, a considerable want of servants; that though people were kept together, and were able to assist each other, they were not able to obtain combined labour which they might employ.

283. Was the same system adopted in any other of the North American States?—Nearly the same system in nearly all the New England States.

284. With nearly the same results?—Yes; you might imagine you were reading the history of one, when you were reading that of the other.

285. What was the mode adopted by the Crown in the settlement of Pennsylvania?—The whole of that land was granted to William Penn, with powers very similar to those given to Sir Humphrey Gilbert.

286. The power was absolutely vested in one individual?—Yes.

287. What was the reason assigned for this grant?—The reason assigned was services done to the Crown by Admiral Penn, the father of William Penn, and which they were unwilling to compensate in any other way.

288. What regulations did Penn establish for the disposal of the land which he had thus acquired?—He offered it for sale to any person who might choose to purchase it for 40*s.* 100 acres, and 2 *s.* a 100 acres quit-rent.

289. What was the effect of this very low price?—The effect appears to have been that the settlers were to a considerable extent dispersed; but this was counteracted by a regulation Penn made, similar to that made in the New England colonies, that no person should be allowed to settle beyond a certain distance from a place of worship; therefore the settlers were compelled to take their land very near to each other, and to keep together. The quit-rent, I may observe, they were never able to collect; the purchasers of land contended it was merely a badge, and evidence of the tenure, and not a payment which it was intended should be regularly made.

290. On what terms was the colony of New Jersey established?—It was granted by the Crown to 24 proprietors, who had the power of electing a governor, and disposing of the land, and making laws for the regulation of the colony.

291. So that in this case, also, the Crown parted with the whole of this property in favour of certain individuals?—Undoubtedly.

292. What mode did those individuals pursue in the disposal of the land?—They granted that land, under the title of head-land, to any settlers who would improve the land granted to them: 60 acres were granted to every settler who should establish himself within ten miles of the sea, and 80 acres to every person who established himself beyond that distance.

293. Were those grants subject to any other conditions?—To the condition of improvement, and no other.

294. No quit-rent?—No.

295. The Crown reserved no quit-rent as regarded the proprietors?—No, there was no reservation of any sort to the Crown.

296. How long did those proprietors continue to possess the property of the colony?—For between 35 and 40 years.

297. To whom did they relinquish it?—They surrendered their right to the Crown.

298. On what terms?—There were several terms; the only two I notice are, first, that no tax should at any time be imposed on waste lands; and secondly, that none but the proprietors, or others to whom they had assigned their rights, should be allowed to purchase lands of the Indians.

299. Had they, before they made this surrender to the Crown, cleared any part of

of the waste lands?—They had not cleared any part, but they had divided rather more than 2,500,000 acres among themselves.

300. So that it appears that each of the 24 proprietors had become possessor of upwards of 100,000 acres of land, exempt from taxation?—Yes, which it was provided should be exempt from taxation.

301. What conditions were imposed on the grant of land in Georgia?—The grants of land were given on military tenure; they were to be descendable, in tail male, on condition of military service, whenever called on by the governor.

302. Was there no condition with regard to slave labour?—It was provided by the charter, that no slaves should be introduced into the colony at any time.

303. At what time was that provided?— *

304. What was the effect of this stipulation with regard to the non-importation of slaves; was it found practicable to enforce it?—The proprietors complained most bitterly and vehemently against it; and their representations at last succeeded in inducing the government to allow them to import slaves, and the labour of the colony was carried on afterwards entirely by slaves.

305. What is the nature of the tenure of land in Lower Canada?—The land in Lower Canada is held by two tenures; one the tenure by Seignorage, which is subject to the incidents of the feudal tenure as it existed in France at the time Canada was colonized by them. It is also held by what is termed a socage tenure, which is a freehold tenure, subject to a small nominal quit-rent.

306. Do you know the amount of land granted on the seignorial tenure?—Nine millions eight hundred and forty-nine thousand six hundred acres.

307. Up to what date is that?—1833.

308. How much land has been granted in the townships held under the Socage tenure?—Up to the commencement of 1833, 2,800,000 acres had been granted.

309. All the grants, under the old seignorial tenure, were made previous to the transfer of the colony to England?—With the exception of two made just after that time.

310. The socage tenure was not known in that country previously?—No.

311. By whom were those grants made?—The grants in the townships made to Englishmen were made by the governor in council, or by the Crown of this country.

312. In what manner were they granted?—They were granted subject to a quit-rent in most cases of 2 *s.* per 100 acres.

313. This was the only condition?—This appears to have been the only condition; I have not seen the grants; I cannot find that there was any other condition annexed.

314. Has that condition been enforced?—Not at all.

315. Has there been any provision by the legislature for its enforcement?—There was an Act passed in the 6th of George the Fourth, c. 42, for the purpose of establishing a court of escheats in Lower Canada, which might have the effect of enforcing the conditions on which all lands had been granted; but no steps at all have been taken for the purpose of enforcing that Act, at least during the year 1832.

316. In what way, and under what limitations, has land been usually granted in Canada, with discretion and reserve, or with profusion?—I find by the Royal Instructions of 1796, any person might apply for a grant of 1,200 acres for himself and for each of 39 associates, making 40 persons in the whole, who would have 1,200 acres each, and very large grants have been made in this way. The practice was, that the proprietor who applied for the grant, and through whose influence it was supposed to have been obtained, was generally recompensed by his associates, by 1,000 acres out of their 1,200; so that the result was, that the person who obtained a grant of land got 40,000 acres, and the other 39 got 200 acres apiece only.

317. Were those grants made by the governor?—Yes.

318. Were they made to any great extent?—To the extent of 2,500,000 acres. I do not know that the whole of it was made in this way; but this appears to have been the mode principally adopted.

319. Do you know the largest amount of land granted away by any governor during any period?—I find that one governor, between 1799 and 1805, granted 1,500,000 acres of land, or rather more.

320. About 250,000 acres a year?—Yes.

321. Without

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321. Without any other conditions being annexed to the grants than those you have mentioned?—So far as I can learn.

322. Sir *George Grey.*] Were there no conditions as to settlement imposed upon the head man, and those associated with him?—I believe it was on condition of improvement; but there was nothing stated as to the amount or the nature of the improvement.

323. *Chairman.*] What is the mode of laying out a township in Lower Canada?—There are two sorts of townships, Inland townships and River townships; the inland townships are ten miles square, and are divided into 308 lots of 200 acres each; I think of those five-sevenths were open for section, and two-sevenths reserved for the Crown and the clergy, one-seventh for each.

324. The river townships are of a different nature?—They were nine miles fronting the river, and 12 miles deep; they were divided, I think, into 348 sections of similar dimensions, and two-sevenths were also reserved for the Crown and the clergy.

325. What was the amount of land comprised in the surveyed townships, at the latest period of which you have information?—Six millions three hundred thousand acres.

326. How much of this had been granted?—Very nearly 3,000,000.

327. Does this include the Crown and clergy reserves?—No, the 6,000,000 of acres includes that grant, and the Crown and clergy reserves also; but that is not included in the 2,900,000 acres which has been granted to patentees.

328. What was the total amount of land in Lower Canada held under the seignorial tenure, and granted in the townships?—Nine millions eight hundred and forty-nine thousand six hundred acres.

329. Are you speaking of the grants up to the latest date?—Up to the year 1832, which is the latest period of which I have been able to obtain information.

330. How much of this was at all cultivated?—Not quite 3,000,000 of acres.

331. Do you know the amount of land sold in Lower Canada by the Government since 1823?—It was a very small quantity; the price, I think, obtained was about 4,000 *l.*, during the years 1823 to 1833; but I have not the exact account here.

332. What was the mode of disposing of waste land adopted at the settlement of the province of Upper Canada?—I have not been able to obtain the regulations in force at the settlement of the colony; but, so far as I can learn, lands were granted there on condition of improvement and of paying a quit-rent, very similar to the terms adopted in Lower Canada.

333. What are the first regulations with which you are acquainted?—The regulations passed in the year 1804, the 6th of July 1804; it however referred almost entirely to the amount of fees paid in regard to grants to emigrant settlers; the fee on 100 acres was 6 *l.* 9 *s.*, gradually increasing till on 1,000 acres it was 41 *l.* – *s.* 5 *d.*

334. Were those fees regarded in the light of price, or purchase-money, paid to the public?—No, I apprehend not; they were taken entirely by the officers, through whose hands the patent passed; the patent officers and the different persons through whose hands they passed.

335. They are not accounted for in any public document to which you have had access?—Certainly not.

336. How much land was sold in the colony at this period?—About 4,500,000 acres.

337. On what conditions?—As far as I can learn, there were conditions that they should improve them, but I cannot tell precisely what those conditions were.

338. The regulations of 1804 went merely to establish certain fees payable on patents for land?—That was the whole; it made the price of the land on an average about 9 *d.* an acre.

339. Were there any other conditions?—There were conditions that they should improve their land; but, so far as I can find, there were no regulations made, between the time or very soon after the first establishment of the colony in the year 1818, in which any specific plan was laid down by which an emigrant might be deemed to have complied with the conditions of his grant, and to have proved its sufficiency to entitle him to have his patent made out.

340. How long did those regulations continue?—Till the year 1819.

341. What change then took place?—The change consisted in doubling the amount

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amount of fees claimed on every patent above 100 acres; the fee upon 100 acres continued at 6*l*. 9*s*., but all the others were rather more than doubled.

342. So that the chief result was to raise the fees on each grant of land above 100 acres from 9*d*. to 18*d*. an acre?—Yes, about 1*s*. 8*d*. an acre.

343. Were there any conditions attached to the grants?—That the settler should clear five acres for every 100 acres granted; that he should build a house, 16 feet by 20 in the clear; that he should clear one half of the road in front of his allotment, which was to be taken as part of the five acres he was bound to clear, and this was to be completed within two years from the date of the location, and upon its being completed the patent was to issue.

344. Were there any exceptions to those regulations?—Grants of land to reduced officers, and to discharged soldiers, and seamen, were made without any fees; the grants to officers and soldiers and seamen during the war, and to the children of the United States' loyalists, were also exempted from fees.

345. The same conditions were imposed upon them, except in respect of fees?—Yes.

346. Was there a maximum in all those cases of grant?—A thousand acres was the maximum, to which those fees are applicable; but I do not find that there was any limitation in the regulation by which those fees were imposed.

347. Are you aware of any other exceptions than those you have mentioned?—There was one exception, in a very large grant of land made to Colonel Talbot, on the terms that he should settle it, a grant of 302,000 acres, of which he is now in possession.

348. The regulations were strictly enforced with regard to all grants of land made after that?—I was referring rather to an exceptional grant; I apprehend those conditions were not at all enforced with regard to the clearing the land; that there might have been some instances in which a settler was compelled to do it before the patent issued, but in a great majority of instances, the licence issued without any reference to their having cleared the land or complied with the conditions.

349. The patent issued on payment of the fees?—Yes; and I judge from the despatches of persons who were sent there, Mr. Richards for instance, who was dispatched to survey the waste lands in the British Colonies in North America, very large tracts of land have been granted to private individuals, which have not the slightest improvement upon them in any way made, but still held as it was supposed by indefeasible title.

350. Are you aware of the nature of the bargain made by Government with the Canada Land Company?—The Government contracted to sell to the Canada Land Company 2,300,000 acres, at the price of 295,000*l*. sterling; the land so contracted to be sold, consisted of a certain portion of Crown reserves and of clergy reserves throughout the provinces.

351. Was that bargain carried into effect?—It was found impossible by Government to give a title to the clergy reserves; the clergy objected to the terms on which the lands had been reserved, and, to compensate the Canada Company for its loss, instead of about 895,000 acres, of which the clergy reserves would have consisted, they were allowed to select 1,100,000 in any part of that portion of the territory which had been recently acquired from the Indian chiefs which they might think fit, and they selected it on the shores of the Huron.

352. On what payment?—The payment of 145,000*l*.; the agreement with regard to Crown reserves was carried into effect.

353. What was the date of that contract?—1825, I think.

354. Were there any conditions as to the settlement and improvement of that land?—Not any. I think there was one condition in their favour, that they might employ one-fourth of the purchase-money in improvements on their own land; and on showing the sum they had so expended, that was to be taken as a payment to that extent.

355. Of what amount did they become possessed?—Two millions three hundred thousand acres.

356. There were no special conditions, you say, as to improvement or settlement, but a bonus of one-fourth of the purchase-money given in the event of its taking place?—They were allowed to employ one-fourth of the purchase-money in making roads and other improvements.

357. Has there been any subsequent alteration in those regulations?—The regulations to which I have just referred were made, I understand, in 1820; in

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1830 those regulations were cancelled, and it was provided instead, that every person who obtained a grant should clear half the road in front of his lot, and from 10 feet from the centre of the road, so that a waggon might pass. Those are regulations made by the governor and council as to the grant of lands to individuals.

358. Do you know what the effect of the bargain has been as it regards the Canada Company?—I think it has been an exceedingly profitable bargain; they have sold enough to pay their annual instalment; and even supposing they should not be able to obtain a selling price for the land they have improved, allowing for the improvement, the result will be to leave them in possession of more than a million of acres, after providing for the payment of the amount they have contracted to pay to Government.

359. What do you suppose will be the value of this land per acre?—Supposing that the price of waste land in Canada should increase as it has done lately, it cannot be estimated at less than from 15 *s.* to 1 *l.* an acre.

360. Are you aware of the price at which the Company have been selling till now?—I imagine that the price has been 10 *s.* an acre on the average.

361. Do you know the average price at which they bought of Government?—1 *s.* 11½ *d.*, I think.

362. How long did the regulations to which you last referred remain in force?—Till November 1830.

363. Was there any previous alteration in the conditions of settlement?—There was no alteration in the conditions of settlement down to 1830; but in 1830 fresh regulations were made, altering the conditions, on which the payment should go to the person who had succeeded in obtaining the grant.

364. What was the alteration made in 1830?—That instead of being required to erect a house and clear a certain quantity of land, he was required only to clear half the road in front of his lot, and to cut through the country a road of 10 feet, so that a waggon might be able to pass along.

365. Has there been any subsequent alteration in those regulations?—In 1832 an Order in Council was made, abolishing all the regulations with regard to settlement which had previously existed, except in the case of discharged soldiers or sailors, and only imposing the necessity that the settler should be established on his lot before the patent issued to him; no necessity for any improvement at all.

366. There was more than one set of regulations in force about that time?—Yes; those three regulations, and in fact another regulation made by Lord Bathurst, which came into force about 1825; there is no date at all to those regulations in the printed copy I have seen, therefore I am not able to say exactly at what time they came into operation, but it must have been between 1825 and 1827; they are, that the commissioner of Crown lands shall, at least once a year, report to the governor the amount of Crown lands in the several provinces; his opinion upon each description of property which it may be expedient to enter for sale; and the upset-price per acre he would recommend; that if the governor sanctioned the sale of any part of the lands at the upset-price the surveyor has fixed, or any price the governor may propose, the commissioner of Crown lands is to proceed to the sale; and that the terms on which he is to sell the land are, that he is to give full notice of the sale in the Gazette, and in another newspaper published in the province; that no lot put up to sale was to contain more than 1,200 acres; that the purchase-money might be paid by four instalments, without interest, one instalment to be paid at the time of sale, and the remainder at intervals of a year; interest, at the rate of 5 per cent., to be paid on every instalment of the purchase-money which became overdue; that if a purchaser of less than 200 acres should be unable to advance the purchase-money by such instalments, he might occupy the land on the payment of a quit-rent of 5 per cent. on the purchase-money, which quit-rent was to be payable in advance; the land was not to be granted at any time, except to soldiers and sailors, unless to real settlers, who at the time of the last previous sale had not been in the colony six months, and who would be allowed to occupy the lands on the payment of a quit-rent of 5 per cent., on the same terms as if they had been purchasers at the last sale; that the commissioner of land should also, within seven years from the date of the order, give permission of occupancy to any person for unsurveyed lands at a quit-rent of 5 per cent. on their estimated value, redeemable at 20 years' purchase; and the average price of land in Upper Canada was fixed at 4 *s.* currency, including the survey and patent fees.

367. Are those the last regulations issued by the Colonial Office?—No; there were subsequent regulations issued by Lord Goderich.

368. Sir *George Grey.*] Were those regulations to which you have referred issued by the Colonial Office, or by the government of Canada?—By Lord Bathurst.

369. *Chairman.*] Under the new regulations, has the governor the power of withholding lands from sale?—The commissioner of public land has to submit once a year to the governor a report of the land which it will be expedient to offer for sale, and the upset price he would recommend; and, if the governor approves of it, the land is to be put up to sale, so that the governor has the power of withholding from sale any part of the province which he may think ought not to be sold.

370. He has a discretionary power as to the land to be put up?—Certainly.

371. Has he not discretionary power as to the price or the mode in which the payment is to be made?—I do not find that he has; the surveyor-general has the discretionary power; he has to affix the upset price.

372. Is there any option now allowed to purchasers of occupying on payment of a quit-rent?—I believe not.

373. Do you know the quantity of land actually sold under those regulations?—It is impossible to tell absolutely how much has been sold; but it appears that the amount sold under those regulations was about 100,000 acres to 1833; the price for which they have been sold would amount to about 20,000 *l.*

374. Do you know how much land on the whole has been granted in Upper Canada, up to the latest period as to which you have been able to obtain information?—About 12,700,000 acres, granted and included in the Crown, and Clergy reserves.

375. Do you know what steps, or whether any steps, have been taken to enforce the conditions of settlement?—There was one instance in the year 1830; 700,000 acres of land were put up to sale by the commissioner in the province, 100,000 acres of which were actually sold, and were put up to sale for the purpose of enforcing the payment of arrearages of the tax on the land, imposed by the provincial parliament; but I do not find that any other attempt has been made since that time to enforce the payment.

376. Have there been any grants of the Crown reserves for any public object?—A very considerable portion, and a most valuable portion, granted to the King's College at York, in exchange for 290,000 acres of wild land which had been sold to them for the support of the college.

377. Have there been any sales of Crown reserves?—There have been some sales of Crown reserves, but with that exception, those to the Canada Company are not distinguishable from the Crown lands.

378. Have any been sold at a high price?—A tract of land bordering on Detroit River was sold about three years ago at an average price of about 18 dollars an acre; it was laid out in very narrow lots, each having a frontage upon the river.

379. What has been the mode of disposing of the waste lands in New Brunswick?—They have been disposed of on the terms of paying a quit rent of 2 *s.* for every 100 acres, and of improving the land granted.

380. What amount of land has been granted under those regulations?—About 2,000,000 of acres in the whole.

381. Has the quit rent been paid on any considerable portion?—I believe on no portion of it.

382. Have any attempts been made to enforce it?—I am not aware that any attempts have been made to enforce it.

383. Have any attempts been made to induce the owners of lands to redeem that quit rent?—The commissioner of lands was instructed in 1828 to offer to persons who had possession of land, the option of redeeming the quit rent on 20 years' purchase, but when one or two of them came to tender their money for the purpose, it was found the commissioner had no power to give them an effectual release.

384. If the quit rent had been redeemed at 20 years' purchase, the price would have been about 2 *l.* an acre, would it not?—Yes.

385. Were there any fees upon those grants?—The fees amounted to 12 *l.* 19 *s.* 8 *d.* currency on the grant of 100 acres, or nearly 2 *s.* 6 *d.* currency an acre.

386. Were those fees enforced?—Not in every case; not in any case where the grant

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grant was made to a member of the council, and the members of the council had a discretionary power of not enforcing them in any case where they thought fit.

387. When were any regulations for the sale of land adopted in New Brunswick?—In 1831, at the same time as they were in Upper and Lower Canada, and the regulations were precisely to the same effect.

388. Did Lord Bathurst's regulations ever come into operation there?—Yes, Lord Bathurst's regulations came into operation in that colony, and land was sold under those regulations at the price of 2 *s.* an acre, Government land, while, according to a despatch of Sir Howard Douglas, it appears that the land of private individuals, which was not more advantageously situated, was selling at a very considerably higher price.

389. What quantity of land has been sold under those regulations?—I have not been able to find any return.

390. Is there any evidence as to the effects produced on the colony by the system of grants of land which you have described?—Clearly, the evidence of every person who has been there, of Mr. Richards and Colonel Cockburn, sent out to ascertain the state of the waste lands in the colony, has been to the effect, that the persons to whom they are granted are very much dispersed, and living in a state of great wretchedness and destitution, and all isolated.

391. Some portion of the waste lands has been sold to the New Brunswick Land Company, has it not?—Yes.

392. Do you know to what extent?—I do not find any return.

393. What is the estimate of land which remains yet unsold?—About ten millions of acres, of which it is supposed nearly the whole is available for purposes of settlement.

394. Is the system adopted in Nova Scotia the same as in New Brunswick?—Precisely.

395. What quantity of land has been granted on those conditions?—Four millions eight hundred thousand acres.

396. Have you ever calculated what the amount of quit-rent would be if regularly paid?—I think 4,800 *l.* a year.

397. Has any portion of it been paid?—I believe in 1827 there was an attempt made to collect a portion of it.

398. To whom have the grants in Nova Scotia been chiefly made?—Chiefly to members of the council and government, and to United States' colonists.

399. On any terms of settlement, or cultivation?—In some cases on terms of settlement; generally, on terms of quit-rent, and improvement; but I believe no attempt has been made to enforce either the one or the other; and very great complaints have been made with regard to the effect produced by the grants of the most valuable portions of the country to persons who neither improved them themselves, nor allowed anybody else to do so.

400. There were grants subject to quit-rent on condition of cultivation?—Yes.

401. And grants free from quit-rent on condition of settlement?—Yes.

402. The sales of land were free from any conditions whatever?—They were; but the sales of land were exceedingly small in amount. There were two townships put up at the rate of 6*l.* 100 acres in 1772, but scarcely any purchasers were found for them, and a great part was subsequently settled by the American loyalists; but the land sold in that way was not subject to any condition of quit-rent, and an absolute title was required by the payment of the purchase-money.

403. Have not grants been made to persons non-resident?—Very considerable; it is impossible to say how much; but in the Report of Mr. Richards and Colonel Cockburn, in several instances, they speak of the most advantageous land for cultivation being granted to members of the council who resided at a distance, and did not improve it.

404. Do you know the amount of land sold under those regulations?—No, I do not, from any account I have been able to see.

405. Do you know what has been the effect of this system?—Only as I find it referred to in the Report of Mr. Richards and Colonel Cockburn, both of whom concur in stating that very great injury has resulted to the colony, in consequence of

of large tracts of lands belonging to persons who do not improve them; and I may mention the case of the settlement of Shelbourn, which was settled by the American loyalists: they expended a very considerable portion of money; but the failure of their settlement was occasioned, in a considerable degree, by the circumstance of the large reserves of lands owned by persons not settled there, interposed between the settlements which they attempted to make, and which impeded very considerably the progress of their prosperity; the settlement was subsequently almost abandoned.

406. Were there any clergy reserves?—None in the manner there were in Canada; but there have been reserves of between 20,000 and 30,000 acres throughout the colony, for the purpose of providing endowments for the clergy.

407. Not in large masses?—I do not know in what sized blocks they were; but there has been no regular system of reserving a portion of all the land granted for the support of the clergy.

408. What amount of land is there at the present time the property of the Crown in Prince Edward's Island?—About 40,000 acres altogether.

409. Do you know the superficial extent of that island?—The extent of the land capable of cultivation is about 1,300,000 acres.

410. How has the land which no longer belongs to the Crown been disposed of?—The island, at the time of its first acquisition, was divided into townships, and there was a grant to private individuals, with a reservation simply of the right of making roads, and taking such land as might be necessary for the purpose of erecting fortifications, or building school-houses.

411. What conditions were annexed to those grants?—The payment of quit-rent, and improvement.

412. What was the amount of quit-rent?—Two shillings per hundred acres.

413. Have those terms been enforced?—There have been two attempts to enforce them; and it is owing to those attempts a portion of the land of the colony is at present in the hands of the Crown; one estate has escheated to the Crown, and an attempt has been made to obtain the escheat of another; but that was resisted. Of the result of that attempt I am not informed; but I believe the Crown succeeded in escheating it.

414. The whole tract is now in possession of individuals, without any conditions or terms whatever on the part of the Crown?—I apprehend they must be still subject to the original conditions; but that those conditions have not been enforced against them, with the exception of those instances of 40,000 acres in the whole.

415. Mr. *Poulett Scrope.*] You have stated that some of the early colonists of United States suffered very considerably from the mode of settlement adopted; you have stated also that in New Brunswick and Nova Scotia there have been considerable sufferings in consequence of the mode of acquiring land; under which of those different systems you have described has the colony progressed most rapidly; and which do you consider therefore most advantageous?—Of the systems that have been adopted, I think the mode in Massachussetts was most conducive to the prosperity of the colony; unless with the facility of acquiring land you should presume the power of acquiring slaves.

416. Has not the progress of Colonel Talbot's settlement been exceedingly rapid?—I think not more rapid than in many other portions of Canada; I do not think that they have increased in prosperity or wealth more than in other parts.

417. Mr. *Hutt.*] You have described the different systems under which public lands have been disposed of; are you aware of a single instance in which any uniform plan in the disposal of waste land has been consistently pursued by a colonizing government for any number of consecutive years?—Certainly not; there is scarcely a single instance in which an uniform system has been adopted at any time. I am not aware of any time in which there has not been more than one mode in which a person might acquire a title to land.

418. *Chairman.*] What are the regulations which have been adopted with reference to the disposal of land in Australia?—The land of the colony has been at all times, I believe, till the regulations of Lord Goderich, entirely at the disposal of the governor in council, and it has been disposed of in such a way as he has thought fit, or to the persons who have been recommended to him by the Colonial Minister in England.

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419. Up to what period are you speaking now; up to 1821?—The first specific regulations which I have been able to find with regard to the terms upon which waste land should be disposed of, are dated the 5th of February 1821; but before those regulations came into force about 350,000 acres had been disposed of by the governor to different persons.

420. That is, before 1821?—Before 1821.

421. The grants were made before that period, without any conditions annexed to them at all?—I rather imagine that there was a condition of improvement, but I believe that was the only condition; and I do not believe that any means were ever taken to enforce it.

422. The *O'Conor Don.*] Any quit-rents?—To the greater part there were none; I cannot say that there were none without.

423. *Chairman.*] What were the regulations adopted in 1821?—The regulations were contained in instructions to Sir Thomas Brisbane from the Colonial-office, and they were to the following effect: that 30 acres should be granted to every emancipated convict at the period of his emancipation, 20 more if he were married at the time, and 10 additional acres for every child he had at the time of the grant, with the reservation of timber which might be useful for naval purposes, and a rent of 6*l.* for every 30 acres, to commence at the expiration of 10 years from the time of the grant; the convicts, with whom such terms were made, were to be supplied with food, and tools and necessaries, for such period as in the opinion of the governor might be required, in order to bring their land under cultivation. Then grants were to be made to free settlers, not exceeding 100 acres above the quantity allowed to be granted to convicts; they were to be held free for 10 years, and then to be subject to quit-rent of 1 *s.* for every 50 acres, or 2 *s.* for every 100 acres; but the governor at the same time had the power to allot any larger amount that he might think fit, transmitting to one of the Secretaries of State his reasons for such additional grant: 500 acres were to be reserved to the Crown, between every 1,000 acres so granted; the land was to be laid out in townships, and in each township there was to be set out 400 acres for the church, and 200 acres were to be reserved for the maintenance of the schoolmaster; 400 acres, I presume, was for the support of the clergyman of the township.

424. Of what was the township to consist?—I think it consisted of 10 miles square, 100 square miles.

425. This was in 1821?—Yes.

426. Were there any other regulations made while those regulations were in force?—Sir Thomas Brisbane, very shortly after his arrival in the colony, issued regulations for the sale of land; and the terms upon which land was to be sold were, that 10 per cent. on the amount of the purchase-money was to be paid down as a deposit at the time of sale, and the remainder of the purchase-money was to be paid by six half-yearly instalments; that a new settler, who was unwilling to purchase at the time of his first going into the colony, might have land reserved for him, paying 15 *s.* for 100 acres, and having the option of purchasing it on the same terms as those contained in the previous regulation, at the end of the three years from the time of its reservation.

427. There were four different modes of acquiring land under the regulation of 1821; by having been a convict, by settlement in the colony as an emigrant, by purchase, and by giving notice of your intention to purchase at a future time?—Yes.

428. Was any other mode adopted?—In 1824, a notice was issued by Sir Thomas Brisbane, stating that 100 acres would be granted to a settler for every convict whom he might have maintained for a year, in addition to the convict whom he was required to maintain for every 100 acres of his original grant; so that, in fact, the governor furnished the settler with a servant to cultivate his land, and then paid him for keeping a servant.

429. How long did this regulation last?—Till the 16th March 1826, and then a notice was issued by the governor, stating, that upon consideration of the last order, and the applications which had been made in pursuance of it, it was directed to be cancelled, and it was cancelled.

430. Were there any other regulations for the disposal of land?—On the 5th of September 1826, there were new regulations adopted, that the persons desirous of obtaining land would be furnished with the proper form of application by the colonial

colonial secretary; that if the governor was satisfied with the character and responsibility of the party, he would be referred to the land board, who would ascertain the amount of capital he possessed; that after being satisfied as to the amount of capital, he would be furnished with authority to select land within certain limits, which were to be fixed by the governor.

431. So that, by those regulations, one mode of acquiring land was made to depend on the governor's opinion of the responsibility of the settler, and the amount of his capital?—Undoubtedly.

432. What was the amount of capital required to be per acre?—An emigrant was entitled to 640 acres of land for every 500*l.* of capital he possessed, but no grant was to exceed more than four sections, or 2,560 acres.

433. Was there any quit-rent attached to the land so obtained?—There was a quit-rent; I think it was a half-penny an acre.

434. Was this quit-rent enforced?—I cannot say that it never was enforced; but I understand it was enforced, in very few instances, indeed scarcely any.

435. When land was granted, had the governor a very large discretion, any power, as to the amount of the sales, and the places where the sales were to take place?—With regard to the first, the governor had absolute power with respect to the portion of land which was put up for sale, and no settler was allowed to purchase in any district, excepting as the governor pleased.

436. Then, the governor being the judge of the respectability of the settler, not only judged where it should take place, but he determined who should put up?—It was more than that, under the regulation of 21st August 1828, it was provided, that the sales, instead of being by tender as they had formerly been, should be by auction, but no person was allowed to bid at such auction unless he had been authorized by the governor.

437. Sir *George Grey.*] Had not the governor the power of refusing the highest bidder by tender if he pleased?—I do not find that he had.

438. *Chairman.*] What other regulations have there been for the disposal of waste lands in the colony?—Those regulations remained in force until the period of 1831, when the regulations of Lord Goderich, to which reference has been made, were made.

439. Do you know the amount of land granted and sold under the various regulations previously, distinguishing the various years?—The returns for New South Wales have been for the years 1826, 1828, 1829, 1830 and 1831; the returns for 1827 and for 1832 and 1833, have not been received. I believe in 1826, 71,620 acres were granted in 38 grants; in 1828, 156,925 acres were granted in 101 grants; in 1829, 631,970 acres were granted in 131 grants. In 1830, 187,927 acres were granted in 353 grants, and in 1831, 170,013 acres were granted in 270 grants; so that the whole land then granted in the colony amounted to 3,897,000 acres of land.

440. How much of that appears to have been by purchase?—About 13,672 acres in the whole.

441. What was the price per acre obtained?—There is no return made with regard to the terms.

442. Were any of those grants made in an exception of the regulations then existing for the sale of land?—Yes, certainly, for the regulations for the sale of land, provided that no person should buy more than 4,000 acres, but the regulations for the grant were, that no grant should be made of more than 2,560; but of exceptional grants I can state only some few of them, one of 20,000 acres to Sir Thomas Brisbane, one of 15,000 to Mr. Hart Davis; there was one, I believe, also, to Mr. Potter Macqeen, and one to Lord Sligo. The two that I have mentioned were very considerably above, and the others also were very considerably above the general amount. Then there were 27,000 acres of land granted to Mr. Reid in consideration of the lands surrendered in Sydney and its vicinity, and it would be impossible to go through and extract all the instances of exceptional grant, and I have mentioned these only as illustrations of the extent to which the system was departed from.

443. There was a grant of a million of acres to the Australian Company?—Yes, there was, as I understand.

444. Upon what terms?—I do not know.

445. Sir

Mr. *R. D. Hanson.*

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445. Sir *G. Grey.*] Have you adverted to the distinction between the original grants and the grants in extension in New South Wales?—I have not yet, I am aware that there was that.

446. Are you aware that though 2,560 was the maximum grant originally allowed, he might obtain a larger grant of land in extension, in proportion to the capital expended upon his original grant?—Yes; but I believe those grants to which I have referred were granted in one act.

447. Might not the original grant of 2,560, under that system of which you have been speaking, be considerably enlarged by the extension to which the settler might lay claim as matter of right?—Not more than double.

448. To the extent of double he might increase it?—Yes.

449. *Chairman.*] Was there any possibility by which a grant of 2,560 acres might have been swelled into 20,000?—No, and these were original grants.

450. You are not aware of the terms upon which the grant to the Australian Company was made?—No; I am not aware that there is any public means of ascertaining what the terms were; it was in the neighbourhood of Port Stephen.

451. Are you aware whether they were permitted to abandon a considerable portion of the land which they first selected, and to choose more land in what they conceived to be a more favourable situation?—I understand that such was the case, but I am not able to state from my own knowledge.

452. Are you at all aware of the conditions upon which the grants of land have been made to which you have alluded?—In looking through the returns I extracted several of those; the land had been granted upon the terms of paying a quit-rent, and of investing a certain amount of capital upon the grant.

453. This is the case with all the larger grants that you have mentioned?—They are subject to quit-rent. It does not state that they are subject to a proportionate investment of capital, and I do not think that they are.

454. Are there any regulations by which any member of the family of a clergyman, resident, is entitled to a quantity of land without any capital?—I find that grants have been made which have been stated in the returns as being made to members of the family of a clergyman, and that has been given as the only ground for it; and as there has been no statement of any necessity of capital being possessed, and as it is not to be expected that five daughters of a clergyman would possess 1,500*l.* apiece, I take it for granted that there is no qualification required. I find that in one case 13,000 acres were granted to the family of a clergyman; and in another case 10,000 acres were granted; in two cases 10,000 acres; and in one case between 8,000 and 9,000.

455. This was in addition to the clergy reserves which were set apart expressly for the support of the clergy in the establishment?—Yes.

456. At what time was the plan of disposing of land by public sale adopted by Government?—It was adopted in 1831; in the same year in Australia that it had been adopted in the North American colonies.

457. Is this system an uniform system which admits of no exception?—It was not in the original instructions of Lord Goderich made uniform, and without being subject to exceptions; that is, no person could obtain land excepting by payment of a certain price; but the power was given to the governor of reserving from sale any portion of land that he thought fit, so that a person could not obtain any land except by purchase; yet he might be willing to purchase it, and not be able to obtain it.

458. Do you mean that the emigrant has not the liberty of selection?—I believe not, unless the regulations are changed.

Mercurii, 22° die Junii, 1836.

MEMBERS PRESENT.

Mr. Ward.	Mr. Poulett Scrope.
Mr. Scott.	Mr. Francis Baring.
Mr. William Gladstone.	The O'Conor Don.
Mr. Childers.	Mr. Roebuck.
Mr. Hutt.	Mr. Pusey.

MR. WARD, IN THE CHAIR.

Mr. *Richard Davis Hanson*, called in; and further Examined.

459. *Chairman.*] WHEN this regulation was introduced, was there any liberty of selection allowed to the emigrant, so that he might at all times, by paying a reasonable price, secure that portion of the unoccupied land which appeared to him most advantageous?—He had the liberty of purchasing lands within certain limits, defined by the governor, but the limits within which the land was to be purchased were also at the disposal of the governor himself, so that no emigrant might select a piece of land for purchase, however advantageous it might appear to him, unless it had been previously notified by the governor that that particular district was open to sale. There was not in fact any liberty of selection.

460. Mr. *Gladstone.*] Is that regulation enforced at present?—I believe it is.

461. Would you not say that there were reasons why the liberty of selection must be very considerably restricted?—I can imagine that it is possible that there might be, under peculiar circumstances, but I am not aware that there were any such circumstances in New South Wales.

462. Are you not of opinion that the circumstances of New South Wales, as a penal colony, and the necessity of having a very strong police there, render the concentration of the population there very necessary, and render it necessary to avoid having stragglers and out-settlers to a greater degree than would be allowed in other circumstances?—I can believe that such might be the case, but I imagine that the effect of those regulations has been precisely opposite; that instead of their causing greater concentration of the settlers, the power of the governor of defining the limits within which land should be selected, has been applied to prevent persons obtaining land within the district which has been already partially partially settled; that there is a very considerable portion of land in the vicinity of Sydney and in the county of Cumberland, and in the Bathurst district, which has not been open for sale, while persons have been allowed to purchase land at a greater distance from the settlers.

463. Are you aware whether there was any particular reason for that purchase?—I am not aware of any reason; I know that they are supposed to be exceedingly valuable; Dr. Laing, in his work, states, that the sum of from 2,000*l.* to 3,000*l.* might be obtained by the governor for land, in the neighbourhood of Sydney, if Government would offer it for sale.

464. Is it your apprehension that the general operation of that restrictive power of the governor has been to disperse the population, and not to condense it?—I do not think that it has been in operation yet for a sufficient length of time to enable me to answer that question; as far as I am aware, the operation has been to prevent the sale of land in certain districts in the immediate vicinity of the chief towns, and in the county of Cumberland, and to induce persons to buy land further off; but its dispersing quality, in the immediate vicinity of Sydney, may be counterbalanced by its filling up the population in another part; I do not know how that may be.

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465. You do not feel yourself competent to give a general answer as to its operation?—The general answer that I should give, with regard to the operation of that restrictive power, would be, that it would tend rather to disperse, because, when the price is raised for land, it is so generally for the interest of the emigrant to purchase it as nearly as possible to the market for his produce, that I cannot imagine, unless there were peculiar circumstances, of which he would be the best judge, that he would go to a greater distance.

466. *Chairman.*] If the Committee understand you rightly, at present the governor has the power of determining where the emigrant shall have his land?—Within what limits he shall be allowed to select it.

467. You spoke of the quantity of land which the emigrant might require; in the event of there being a smaller lot than 640 acres, the governor might, if he pleased, prevent that land from being brought into the market?—Undoubtedly he could.

468. This is according to the present regulations; has any change been made in those regulations?—There has been no other change than the one which increased the power of the governor; there has been a change in the instructions in 1832, to General Burke, that the governor had the power of raising the price of land in any part of the colony, when he imagined that a higher price might be required; and in order to insure the obtaining of that price, he was at liberty to limit the quantity of land which might at any time be brought into the market.

469. So that by this regulation the power of the governor to limit was considerably increased?—Undoubtedly.

470. Are you aware what amount has been realized by the sales of land under those regulations?—I find that there has been about 18,000*l.* up to the last period, for which I am enabled to get returns; but I cannot say the amount up to the present time.

471. Up to what period have you those returns?—Up to the end of 1832.

472. From what date?—There is no statement of how much of this money has been obtained by sales of land, under the regulations of 1831, and by previous sales of land; this is the general amount of the fund received since that time, but any grant made before, was to be paid for by instalments; a considerable portion of this sum may be the instalments on purchases of previous years.

473. Do you know in what manner this amount has been employed?—Principally in defraying the expense of sending emigrants to this colony.

474. Are you speaking of New South Wales alone?—Yes.

475. Are you aware that Sir Richard Burke has recently issued a proclamation, offering a bonus of 30*l.* to every young couple transported into the colony?—I have seen such a proclamation in one of the colonial newspapers, but I have no other knowledge of the fact.

476. From what funds is this bounty to be paid?—From the produce of the sales of land.

477. Entirely?—Entirely.

478. Is it made a condition in this case that the emigrants shall be exclusively from Great Britain or Ireland?—No; it is stated in the proclamation that this bounty will be allowed to every couple brought from Europe; and it is stated in the newspaper in which the proclamation appears, that it is hoped that it will have the effect of getting vine-dressers from France, and persons accustomed to manage sheep from Germany, and so on, and therefore I imagine that they contemplate them to come from every part of Europe.

479. So that, although the produce of the land sales is formed into an emigration fund, it is not an emigration fund exclusively applicable to England or Ireland under the present regulations?—Undoubtedly not, so far as we can judge of the terms of the proclamation.

480. What have been the regulations which have existed hitherto with regard to the disposal of land in Van Diemen's Land?—They have been, I believe, precisely the same as those which have prevailed in New South Wales.

481. Do you know the amount of land that has been disposed of already in Van Diemen's Land?—The total amount of land which had been sold up to 1832 was 1,513,815 acres.

482. How much of this has been by sale, and how much by grant?—It appears that only 20,356 acres out of this had been sold.

483. Has all the rest been given away?—It has.

484. Is

484. Is that the whole amount of land now occupied there?—Yes, it is the whole amount of land which has been as yet granted in Van Diemen's Land; we have no means of telling whether it is occupied or not.

485. Up to what period do your returns go?—Up to the beginning of 1832.

486. Mr. *Childers.*] Is there any large portion of land still unappropriated in Van Diemen's Land?—About 10 millions of acres.

487. Do you speak from your knowledge in 1832?—Yes, and from statements which I have obtained since, not from returns, but from persons with whom I have conversed on the subject, that the quantity of land disposed of since that time has been comparatively small, that none has been sold, and the sales have not been to any very great extent in the quantity of acres.

488. But is there much good land unappropriated?—It is supposed that there is very little good land indeed.

489. Do you take into consideration the large quantity of acres sold to the Van Diemen's Land Company?—Yes.

490. *Chairman.*] Can you state the particulars of any grants that have been in Van Diemen's Land; is there anything very remarkable about them?—There was a grant of 250,000 acres to the Van Diemen's Land Company, which I believe has been subsequently increased to 500,000.

491. What was there remarkable about this?—Simply the circumstance of land being granted in that way, the only condition to which was their obtaining convicts, and paying a very small quit-rent, redeemable at 20 years' purchase, and which will amount to not more than 30*s.* for about 100 acres.

492. At what time was the system of selling waste land for ready money introduced into Van Diemen's Land?—At the same time that it was into New South Wales, in 1821.

493. How much land has been sold under this system?—I find that the sales of land for 3½ years previous to July 1832 (but that would be only one year after the system of selling land uniformly was brought into operation) amount to 12,362*l.*; then for the following year, to June 1833, the sales of land amounted to 3,530*l.*

494. Are there any Parliamentary papers that you are aware of, up to 1834, containing an account of the land sales in Van Diemen's Land?—No, none later than 1833 that I have found; there are papers giving the amount of people sent out, but I do not find accounts of the land sold.

495. Do you know what has been the average price at which land has sold?—No, I cannot state what the precise average has been since those regulations have been adopted.

496. You do not know of any exceptional grants having been made, except this land, to the Van Diemen's Land Company?—No, I am not aware of any exceptional grants having been made in Van Diemen's Land.

497. In what manner has the money produced by the land-sales been applied?—It has been applied in the same manner as in New South Wales, in the encouragement of emigration.

498. Do you know how many emigrants have been sent out?—509 females and 422 families, containing in the whole 1,571 souls.

499. By whom have those females been selected and sent out?—The females have been selected and sent out by the Emigration Committee, I believe, in England.

500. Who has entrusted this committee with the power of selection?—The Colonial Office.

501. Is there any other point to which you wish to allude?—With regard to the general regulations which are adopted at the Swan River, I wish to refer to the fact, that in the Swan River the land was sold in immense quantities at first, and on terms which were quite inadequate to insure its being employed for any useful purpose; that the regulation which was first made, continued in force only for a very short time, and that the regulation which was substituted for it was altered again in 1831, so that in the course of three years there were three sets of regulations, completely contradictory, for the disposal of waste-land, adopted in the colony.

502. Mr. *Gladstone.*] Were they three sets of regulations which could be adopted, as in succession and in progression towards the establishment of a regular system?—I should say, decidedly not.

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503. *Chairman.*] HAVE you had occasion to study the subject of colonization?—I have.

504. And more especially as regards the disposal of waste land by Government?—Yes, more especially.

505. Have you heard the examination of the preceding witnesses?—I have.

506. Do you know on what conditions the Australian Agricultural Company of London obtained its grant of a million of acres in New South Wales?—Chiefly on condition of employing a certain number of convicts, which condition was, in point of fact, a boon. Not only did the Government bestow a million of acres upon the Company, but they also bestowed upon them, under the name of a condition or burden, a boon of labourers wherewith to cultivate the land.

507. Are you aware of any other modes of disposing of waste land than those which have been already described to the Committee?—Yes, a very great number. In the course of a continuous inquiry upon the subject during several years, I at one time had collected a list of 200 different methods of disposing of waste land.

508. Do you mean 200 different distinct processes which at one time or another had been acted upon by this country?—Not entirely by this country; chiefly by this country, but also by the other colonizing states of Europe, such as France, Spain, Portugal, Holland and Denmark.

509. Even in our own country there have been a great variety of modes adopted?—A very great variety; that is, plans having different tendencies, and very often contradictory tendencies.

510. Have there ever been plans of contradictory tendency in operation at the same time?—Yes, in operation at the same time. There is a striking example of that in the first regulations for the plantation of the Swan River. It was declared that an unlimited quantity of land should be given to every settler who should take out labourers to the colony, and that the land should be given at the rate of 1*s.* 6*d.* per acre, calculated on the cost of emigration of the person brought out, which was I think put at 30*l.* The obvious effect of that regulation was to induce emigrants having capital to take out people; but the next regulation in the same set, declared that land should be appropriated in unlimited quantities by those who were prepared to show that they would expend capital upon the land, at the rate of 1*s.* 6*d.* an acre; so that those who had not taken out labourers were able to pay higher wages than those who had expended their capital in doing so; and they enticed away the labourers who had been brought out by the others. Consequently the motive for bringing out labourers was destroyed; so that the second regulation defeated the first.

511. This was the instance to which the last witness, Mr. Hanson, was alluding when he talked of two contradictory systems at the same time?—Very likely.

512. Mr. *Gladstone.*] Which of those systems is, according to your views, most in conformity, or least in contrariety, to just principles of colonization?—That regulation by which land was disposed of in proportion to the number of people brought out to the colony.

513. You regard then the second regulation as a retrograde measure?—As destructive of the first.

514. As a retrograde measure with reference to what would be a good system of colonization?—Yes, the second regulation seems to me to be in defiance of a good system.

515. *Chairman.*] Have you seen the statement made by Mr. Stevenson of the actual receipts of the government of the United States from land sales?—Yes, I have.

516. It appears by one part of that statement that the receipts for the year 1819, were 682,171*l.* sterling, and that the receipts in the year 1820 were only 340,806*l.* sterling; how do you account for so great and sudden a diminution?—In the year 1819, that is, in the year previous to this great diminution in the receipts from the sales of land, congress lowered the minimum price from two dollars to 1¼ dollar per acre. In the following year, that is 1820, the receipts having fallen from 680,000*l.* to 340,000*l.* the diminution appears to be fully accounted for by the diminution in the minimum price enacted by congress in 1819.

517. Mr. *Gladstone*] The diminution in the receipts, according to what you have

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have stated, appears to be 50 per cent, and the diminution in the minimum price appears to be three-tenths. Considering that the diminution in the minimum price ought to have increased the quantity sold, would you say that the diminution in the receipts was fully accounted for by the diminution of the minimum price?—There is not an exact correspondence between the two. The diminution of receipts is precisely half; but the diminution in the minimum price was not quite half. Therefore the correspondence is not exact; but it is so near that I conceive one to be the cause of the other.

518. Do not you suppose that the object of congress in lowering the price was to increase the demand? that they calculated that the deficiency in the receipts arising from the diminution of the price, would in some measure be compensated by an increased demand?—I do not think that that was the object of congress; for in looking through the debates in congress upon this subject, I have been able to trace no other object than that of obtaining a revenue, and that object is only expressed incidentally and occasionally.

519. If the object of congress was to obtain a revenue, and if, knowing or supposing that to be their object, you found that they lowered the minimum price of land, would you not infer that they must have calculated upon an increased demand and an increased quantity being sold?—I do not think that revenue was the deliberate object of congress; I only find that hinted at occasionally in the speeches of individual members; but I cannot find that the present system was adopted in the United States upon any deliberate view whatever; I cannot find any definite object.

520. Mr. *Childers.*] Was not the object, that the other plan of requiring two dollars and a half, and giving credit, had been found to cause great evils? Was not the giving of credit the cause of great evil?—The giving of credit was a cause of evil, and was abolished in the same year when the price was lowered.

521. Was it not the acknowledged reason of the lowering the price to change the system of credit which had been found to produce an immense debt, which the legislature saw no prospect of being paid to them?—I think that that may have been very likely the object; but that does not clearly appear upon the face of the discussions, which led to the diminution of price.

522. Mr. *Poulett Scrope.*] Was not the previous price two dollars an acre, with a very long credit?—It was.

523. And the price by the subsequent regulation was 1 ¼ dollar cash?—Yes.

524. May it not be possible that the payment of two dollars per acre at a long credit may be much easier to a buyer than the payment of 1 ¼ dollar cash, and that therefore the reduction in the amount of sales may have been occasioned by an increased difficulty put in the way of obtaining land?—The difficulty of paying a larger sum could not have been less; for a larger sum was actually paid in cash, whatever the credit might have been. In the year 1819 the receipt was 680,000 *l.* Consequently, there appears to have been a greater facility in paying for land in that year, than there was in the next year when ready money was required, and when only 340,000 *l.* was paid.

525. Are you aware how much of that 680,000 *l.* was the result of sales during that year, and how much was the arrears paid up for the sales of former years?—I am not aware.

526. But unless you can distinguish those two elements in the sum, can you frame any theory from the sudden falling off in the receipts when the system was altered?—I do not attempt to frame a theory from that single fact. I only observed, that the price was lowered, and that the receipts immediately diminished. I only stated the two facts, and drew from them a conclusion which seems to follow naturally.

527. Mr. *F. Baring.*] You are aware that the proceeds of this land goes into the exchequer?—Yes, I am.

528. Therefore, has it not occurred to you that it was very possible that there might have been, on the part of the different state legislatures, a pressure upon the general congress, arising from the direct interest which they must have had in the speedy disposal of those lands, which induced the congress to lower the price?—I can see that there would be a direct interest; but I am not aware that that was the motive. I have not found any trace of that motive in the legislation of congress. It is a very natural motive, but I am not aware of it.

529. *Chairman.*] What proportion does the land-fund in the United States bear to the general revenue of the country?—I am not aware of the proportion which the

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the land-fund bears to the revenue of the United States; but it considerably exceeds the whole expenditure.

530. What proportion does the land-fund in New South Wales and Van Diemen's Land bear to the Government expenditure in those colonies?—In the year 1834, which is the last account that I have seen, the land-fund was very considerably less than the whole expenditure. The whole expenditure of the two colonies may have been about 300,000 *l.*, and the land-fund did not exceed 60,000 *l.*

531. But that was when the system of selling land was very recent?—I speak of 1834, the latest year of which there is any account in England.

532. What is the average price at which waste land sells in the United States?—I cannot state precisely; but I think, in 1835, the receipts were about 11,000,000 of dollars, and the number of acres sold about 9,000,000; from which the average of that year may of course be ascertained by a very simple calculation. In that year, the average price was not much above the minimum.

533. There is no account before the Committee; have you any account of the mode in which the proceeds of the land-sales have been disposed of in the United States?—I know generally that it is disposed of for the purposes of Government; that it forms part of the exchequer receipts, and goes into the general fund for defraying the expenditure of Government.

534. Mr. *Gladstone.*] Is no part applied for the purpose of the newly-planted country, or for the transport of settlers there?—I believe none of it. A portion of it is, no doubt, employed in acquiring the land from the Indians, and in the surveys.

535. Mr. *Childers.*] But purposes of local improvement are provided for by local taxes?—Yes, except in the case of special grants by congress.

536. *Chairman.*] Is the average price of land in the United States higher or lower than the average price in New South Wales and Van Diemen's Land?—Lower. The average price in New South Wales and Van Diemen's Land has very much exceeded the minimum, from the time that the plan of selling was introduced.

537. Mr. *Childers.*] Had not they the power of selling some land, called Town lots, in smaller quantities, and at a higher price, and is not that in the discretion of the commissioners in America?—I think not. I think the Government does not interfere in the formation of towns at all. It allows individuals to purchase lands in large quantities; and, if they think fit to purchase land, to lay out streets, and form a town. There may be exceptions; but that is the general rule.

538. Mr. *F. Baring.*] Have you at all studied, or are you at all informed, as to the privileges of parishes and counties in America, to tax the landholders and inhabitants for the sake of making internal improvements, such as roads, and dikes, and bridges? Are you aware to what extent that goes?—In most of the States, I believe, to an almost unlimited extent.

539. Of course there is no such right or privilege in New South Wales. There could be no power in the parishes or in townships to meet together and to lay any tax in New South Wales?—Certainly not, because the Government of New South Wales is completely despotic, while that of the United States of America is thoroughly democratic.

540. Therefore you could not very well compare or bring together the two systems. For instance, in America, there is no inconvenience at all resulting from selling land in large tracts, because the people who live upon those tracts, and who gradually buy up certain parts of them, can meet together and force the large landed proprietors to consent and contribute to internal communications. That cannot be the case in New South Wales, and the consequence would be, would it not, that it would be impossible to bring the two systems to a comparison?—I hardly look upon New South Wales as a colony. It is a penal settlement; it is only a large gaol; it is not to be compared with a free state for a moment.

541. *Chairman.*] You have stated that the average price of land in New South Wales and in Van Diemen's Land has been higher than in America?—Yes; in New South Wales it has considerably exceeded the minimum of 5 *s.* an acre; in the United States it has not much exceeded the minimum of 5 *s.* 7 ½ *d.* an acre.

542. Do you know what the average price in New South Wales has been?—I cannot

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cannot say exactly. I have a general recollection, but a certain one, that it did very much exceed the minimum.

543. In proportion to population, which land-fund is the greatest; in which country have the receipts for land-sales been the greatest; in the United States, or in Australia and Van Diemen's Land?—By far greater in New South Wales and Van Diemen's Land, in proportion to population. Taking the population of the United States to be 14,000,000, their land-fund of the last year was 2,300,000*l.* The population of New South Wales and Van Diemen's Land is, altogether, only 100,000, and their land-fund amounted to 60,000*l.*; not very far off a pound per head.

544. How can you account for this great disproportion?—I account for the disproportion, by answering, that before the system of selling was introduced into New South Wales and Van Diemen's Land, portions of land, favourably situated, had been reserved by the colonial government, and had attained a very high artificial value from the neighbourhood of population and markets; that when the system of selling was introduced, and these portions of land were brought to sale, there was a very considerable competition for them; and that consequently a much higher average price has been paid in New South Wales than in the United States. That would account also for the much larger fund obtained in proportion to population.

545. The *O'Conor Don.*] May it not arise in some degree from the possibility of obtaining convict labour in New South Wales?—I think the United States are better supplied with that which may be called the utility of convict labour than New South Wales itself; for they have 2,000,000 of slaves.

546. Mr. *Childers.*] Do you think that it is quite fair to compare the population in New South Wales with that of America; taking into consideration the unemployed capital of England, and the influx of its redundant population into that country?—No doubt the redundant population and capital of the mother country have a considerable influence upon such small settlements as New South Wales; and it would not be fair to compare New South Wales with the United States, not merely on that ground, but on other grounds, some of which I stated in answer to a question by Mr. Baring. There is no safe ground of comparison between countries so dissimilar.

547. Mr. *Poulett Scrope.*] Has not the population of New South Wales increased more rapidly than that of the United States, by emigration?—I am not able to answer that question, because there is no account of the emigration either into the United States, or into New South Wales.

548. *Chairman.*] From what data have you derived your information as to the sales of land in New South Wales?—From the colonial newspapers and conversations with persons who have recently arrived from that colony.

549. Have you seen the returns of land-sales which have been laid before the House of Commons?—Yes, I have; but I place very little reliance upon those returns.

550. Why?—Some of them are exceedingly defective and incorrect; so much so as to appear to me to be quite useless.

551. In what respects do you mean that these returns are erroneous and defective?—One has been put in, which is a return of Crown lands in Canada, and is dated the 23d of March 1835, signed R. W. Hay. It was moved for by Mr. Hutt. The information required under this return, was of six different kinds; first the quantity of land in each lot. The answer in the return is the number of acres per annum. The second question related to the situation of the land granted, where situated. To that question there is no answer at all. The third question related to the conditions of sale. Those are stated, but in the most general terms, without at all distinguishing precisely the different conditions required as to each lot granted. The fourth question was, as to the price per acre, in the case of each sale. This is not given in any one instance, but instead thereof the annual averages are given; and all the averages so given are incorrect.

552. Mr. *Gladstone.*] How do you ascertain the incorrectness?—By a calculation which would occupy some time I should prove the inaccuracy; but it would take me perhaps an hour to do so.

553. Is the basis of the calculation facts which you have acquired from other sources?—No, miscalculations and errors upon the face of the return. The fifth question prescribed is the money received in payment for land. Instead of the return required, there is an account of the purchase-money received within the

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first year from each sale on instalment, and the quit-rent of five per cent. paid on sales made on that condition for the first year only. Consequently the return is something quite different from what was required. The sixth and last question related to the application of the monies. Instead of the proper return, namely, the account of the Commissioners of Crown Lands' receipts and disbursements, which is not given at all, there is a statement of the application by the Receiver-general of certain monies received by him from the Commissioner of Crown Lands. In this statement, such as it is, the receipts are given in currency, and the payments in sterling; in different monies. The return for Upper Canada in the same paper does not furnish the information required. A great deal of the information that is furnished, is incorrect upon the face of it; for example, in the recapitulation of the account of the Receiver-general, the balances are added to the receipts every year, so that he appears to have had 11,949*l.* 7*s.* more than he has paid, instead of having 2,895*l.* 17*s.* less, as is probably the fact; but I say probably, because any conclusion drawn from these returns is the result of mere guess-work.

554. Do you mean to say that if, at the end of the year, there appears to be upon the whole a sum to the credit of the Receiver-general, that sum is carried forward to his credit in the next year?—No; I mean to say that whatever the balance might be, instead of being stated as a balance, it is added to the receipts, and carried on as if it had been received twice over; as if the balance had been received in addition to the receipts.

555. Mr. *Roebuck.*] Do you object to that as making the receipts of the year appear larger, or making the account incorrect?—Sometimes the balance may be added on the other side. The result is to make the accounts quite incorrect.

556. Mr. *Gladstone.*] Do you mean that the balance of one year is added to the receipts for the next year?—No, the balance of each year is added to the receipts of that year.

557. *Chairman.*] Will you exemplify this point by any instance out of the return?—I have, but not with me, a complete dissection of this return, which exposes all its errors and defects, and with the permission of the Committee I will put that in upon another occasion.

558. Have you inquired a good deal as to the best mode of promoting emigration from this country, and from Ireland in particular?—I have taken a great interest in the subject.

559. And you are of opinion that the only mode of promoting emigration from this old country is to render the new countries as attractive as possible, both to the capitalist and to the labourer?—It appears to me that the best and most effectual mode of promoting emigration, is to be found by discovering the best mode of immigration; by looking, not to the sending away of people from the old country, but to the arrival of them in the new one; and consequently the first point to determine is, what will render the new country most attractive to the people of the old country.

560. You therefore, in considering the question of emigration, and looking to that as the ultimate object, consider a good mode of colonization as the most effectual means of arriving at it?—Yes.

561. What do you mean by "a good mode of colonization"?—That mode which would render the Colonies most attractive, which would conduce to the greatest amount of immigration into the Colonies.

562. That would depend a good deal upon the manner in which the land was disposed of in the Colonies. In an inquiry concerning the means of emigration, you would consider the best mode of disposing of the waste land as the first object which ought to be regarded?—It is very important. Waste land is the chief element of colonization.

563. In what way does it appear to you, that the disposal of waste land by Government in one way more than in any other, would affect the progress and prosperity of the colony?—In almost every way. The disposal of waste land appears to be the very basis of the fabric, the foundation upon which all is to be raised; and, therefore, that success or failure depends almost entirely upon the manner in which the land is disposed of by Government.

564. Why should a government interfere at all in the disposal of land? Why should you not leave individuals to judge for themselves, and to occupy that portion of land which they should think most conducive to their own interests?—That course has been recommended by some economists, and of great repute too;

too; but there appears to be one simple and conclusive objection to it. If the Government allowed every individual to be the judge of his own interest, and to please himself as to the quantity of land that he will appropriate, one individual at once steps forth, and appropriates all the land of the colony. He puts a stop for ever to the disposal of the waste land in that colony in any other manner than may happen to please himself. That course has actually been adopted by our Government in several instances, one of which was mentioned to the Committee by Mr. Hanson; that of the first grant to the brother-in-law of Sir Walter Raleigh, who received 400 miles of sea coast without any limit internally, and with power to do exactly what he pleased with it: not merely to do what he pleased with it, but also to prevent others from doing anything at all with it, which he did for many years until he died, and his contract became forfeited, or was abolished in some way. That part of the world was shut out from colonization by means of allowing that which is alluded to in the question; namely, permitting individuals to judge for themselves as to the quantity of land which each would appropriate.

565. Mr. *Roebuck.*] Is not that supposition in opposition to the statements of the economists to which you have alluded? Do not they say constantly that the only check which we have upon competition in this case is the power of purchase by the individuals?—Those economists object to the purchase as being a gratuitous tax. They object to exacting any price for the land. They say, let each settler take that which he considers most for his own advantage; that is, let one man take it all.

566. Can you name where you have seen that stated?—I have seen that stated very strongly in a letter written by Mr. James Mill, the historian of British India, to Sir Robert Wilmot Horton.

567. Mr. *Hutt.*] Did not Sir Robert Wilmot Horton publish a pamphlet, containing a letter from Mr. Malthus, to something of the same effect?—Sir Robert Wilmot Horton is one of those economists who have objected in the strongest terms to any restriction upon the appropriation of land.

568. Mr. *Roebuck.*] And you conceive the general way in which you have now stated the proposition to be that in which Mr. Mill and Sir Robert Wilmot Horton stated it?—I have adhered, not closely perhaps, but nearly, to the words of Mr. Mill, in his letter to Sir Robert Wilmot Horton.

569. Are there no saving clauses round that proposition, which in any way make it different from that which you have stated?—I believe none.

570. *Chairman.*] Then it follows that in your opinion Government must necessarily exercise some power in disposing of the waste land; that it must not confide the appropriation of land to the discretion of an individual, but must exercise the power in a different way?—Yes, it appears to me that Government must necessarily both give, and prevent people from taking.

571. This must be done by certain regulations. What do you conceive should be the principal objects of a government in framing those regulations for disposing of the waste land?—The one object, it appears to me, should be the greatest prosperity of the colony; to produce that state of things in the colony which would render the colony most attractive to capitalists and labourers coming from the mother country.

572. That is one object?—It appears to me to be the sole object of the Government in disposing of waste land.

573. Mr. *Roebuck.*] Is not that so large a proposition as to be too uncertain in its operation? Should you not break it down into more specific propositions?—No doubt, I can do that; but the question was general, and therefore, I gave a general answer.

574. *Chairman.*] In order to attain this general object, the Government must exercise these two opposite powers; the power of giving, and the power of withholding?—Yes.

575. And the exercise of either of these powers to too great an extent would be injurious to the colony?—I conceive that in the exercise of these opposite powers there is some golden mean which would produce that state of things which was most advantageous.

576. In what way do you conceive that a too profuse exercise upon the part of Government of its power to grant land, would be injurious to the colony?—In almost every way; but there has been furnished to the Committee a copy of a circular from Lord Glenelg to the Governors of His Majesty's West India possessions.

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possessions, dated so late as January last, which appears to me to give a satisfactory answer to the question put to me, and instead of answering the question in my own words, I should like to answer it in the words of Lord Glenelg.

577. Will you read some parts of that to the Committee?—This is the extract: "It must not be forgotten that the conditions under which society has hitherto existed will, on the expiration of the apprenticeship, undergo an essential change. During slavery labour could be compelled to go, wherever it promised most profit to the employer. Under the new system it will find its way wherever it promises most profit to the labourer. If, therefore, we are to keep up the cultivation of the staple productions, we must make it the immediate and apparent interest of the negro population to employ their labour in raising them. There is reason to apprehend that at the termination of the apprenticeship this will not be the case. Where there is land enough to yield an abundant subsistence to the whole population in return for slight labour, they will probably have no sufficient inducement to prefer the more toilsome existence of a regular labourer, whatever may be its remote advantages, or even its immediate gains. Should things be left to their natural course, labour would not be attracted to the cultivation of exportable produce, until population began to press upon the means of subsistence, and the land failed (without a more assiduous and economical culture), to supply all its occupants with the necessaries of life. As soon as a natural labouring population should thus arise, and the growing necessity of making the most of the land should ensure the proper application of their labour, it might be expected that the present staples would again be brought into cultivation. But the depreciation which would take place in property, and the rude state into which society would fall back in the meantime, make it desirable to adopt measures to check this apparently natural course. How far it may be possible to check it effectually, it is not easy to determine; but by diminishing the facilities of obtaining land, it may certainly be impeded. It is true that where so much unoccupied land belongs private to persons, it is difficult to make any arrangement will ensure the proper distribution of it; nor am I prepared at present to recommend any definite measure for that purpose, which may be free from inconvenience. But it is of great importance in the meantime that the evil should not be aggravated by the inconsiderate neglect or the incautious distribution of those lands, which are at the disposal of the Crown. In order to prevent this, it will be necessary to prevent the occupation of any Crown lands by persons not possessing a proprietary title to them, and to fix such a price upon Crown lands as may place them out of the reach of persons without capital * * * * *. It would appear that a country is then in its most prosperous state, when there is as much labour in the market as can be profitably employed. In new countries, where the whole unoccupied territory belongs to the Crown, and settlers are continually flowing in, it is possible, by fixing the price of fresh land so high as to place it above the reach of the poorest class of settlers, to keep the labour-market in its most prosperous state, from the beginning. This precaution, by ensuring a supply of labourers, at the same time that it increases the value of the land, makes it more profitable to cultivate old land well, than to purchase new. The natural tendency of the population to spread over the surface of the country, each man settling where he may, or roving from place to place in pursuit of virgin soil, is thus impeded. The territory, expanding only with the pressure of population, is commensurate with the actual wants of the entire community. Society, being thus kept together, is more open to civilizing influences; more directly under the control of the government; more full of the activity which is inspired by common wants and the strength which is derived from the division of labour; and altogether is in a sounder state, morally, politically, and economically, than if left to pursue its natural course." It appears then, to me, that the evils resulting from profusion in granting land are evils which are opposites to the picture of benefits so ably drawn by Lord Glenelg.

578. Do you conceive the doctrine which is laid down in this despatch, to be borne out by experience?—I think so; because in looking back to the history of colonization, I have had occasion to change a strong preconceived opinion. I had believed, in common with the greater number of persons who have thought at all on the subject, that new colonies are generally very prosperous societies; whereas I now know, that, of the colonies planted by the states of modern Europe, the greater number, that is, more than half, have entirely perished; have disappeared from the face of the earth; and that of those which did not perish, the greater

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greater number by far suffered during their infancy the utmost privations and hardships. I am not aware of a single instance in which an infant colony, planted in a country where there was a great extent of unoccupied land, was such a society as deserved to be called prosperous, until many years after its establishment.

579. Can you mention any other evils which appear to you to have arisen from too profuse a system of disposing of land on the part of the government?—I could particularize many evils. The greatest evil appears to me, to have been the destruction of a vast number of colonies; but, putting that aside, I would come to the doctrince laid down by Lord Glenelg in this despatch; and from the reasoning therein contained, I draw this conclusion, that where a colony has not perished (a colony planted in a country where there was still a great quantity of unappropriated land) the means of its salvation has been an enormous evil in itself, namely, slavery; and even up to the present time, I find that all the exportable commodities of the United States, or nearly all of them, the great bulk of their exportable commodities, their cotton, their sugar, their rice and their tobacco, are produced by the labour of slaves, and unproduceable by free labour, because in the United States the facility of obtaining land is, to freemen, so great, that it is impossible to combine the labour of any large number of free hands in any of those works which require the combination of a great number of hands at the same time and in the same place, for a considerable period of consecutive time. Then it appears that such a new colony as I have described, planted in an extensive country, wants combination of labour, and therefore wants division of employments. Both are entirely wanting until slaves be obtained; and that society, instead of advancing to a more prosperous state in consequence of its removal, really retrogrades into a primitive state; into that barbarous state from which all nations have passed, and passed, as I believe, by means of the step of slavery. For all nations have undergone slavery, and wherever slavery has been abolished, the cause of the abolition has been obvious; it was the growing scarcity of land.

580. How do you connect the existence of slavery with great cheapness of land?—Whenever land is very cheap, men who are free have a disposition which I am unable to account for, but they have a disposition, as is borne out by all history, to obtain land of their own. Every one is disposed to become a proprietor, an individual landowner; and when every one does become an individual landowner, and cultivates his own piece of land, every one does the same thing, and there can be no combination of labour among them. For they work in different places, and there can be hardly any exchange among them, for they all produce exactly the same thing. Consequently, the society is in what may be called a separated state, a barbarous state. It is cut up into as many fractions as there are individuals; and then, in order to produce that surplus produce, that capital, and all those advantages which result from the greater productiveness of combined labour, a motive ensues to obtain slaves. Freemen will not, but slaves may be forced to, work in combination. That appears to be very much borne out by the Greek colonies, which were all prosperous from the beginning, which contrast most remarkably with our colonies, but which had slaves. It is also true that each of the Greek colonies settled and remained upon a comparatively small extent of land.

581. Mr. *Roebuck*.] You say that it is the facility of obtaining land which has created the necessity for slaves, and that the having slaves has produced the prosperity of the colony; and at the same time you say that the Greek colonies were exceedingly prosperous and exceedingly confined, and therefore could not have had any great facility of acquiring land, they having slaves. How do you reconcile that?—I should say that settlers in the ancient cities of Greece, taking slaves with them, had no motive for spreading over a country and appropriating large tracts of land. They had with them the means of combining labour on a small surface. The masters had all that could give them the wealth which they did in fact obtain upon a very small surface; but if you had taken from them their slaves, that is, if you had forced every one to do everything for himself, then the tendency of these persons would have been to spread over as large a surface as possible, and to make up by the quantity of land that each should have, for the weakness of each one, owing to each being a separate fraction.

582. Is it not notorious, as respects the Greek colonies, that they were confined to a small space, not by their own will, but by barbarians around them; that

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that they were obliged, for their own safety, to shut themselves up within very narrow walls; and as they were shut up into a small space, and were themselves a civilized people, were not they exactly in the situation of other civilized people who had not slaves; that is to say, that they were confined within a narrow space, that land was difficult to be obtained, and that they had a large quantity of capital?—It is extremely difficult to answer so many questions relating to the Greek colonies, or even to make, with much confidence, any statement with respect to them, because there are no countries that we have any information of at all, of which we have less information than of the Greek colonies. The information is so extremely defective, that a thousand causes may have been in operation; disturbing causes of all sorts and kinds; of which it is impossible to see the effect. One occurred to me in answer to a question, that though, in particular spots, a colony might be confined by the savage nation which it had invaded, there might be a great facility of moving from that spot to others, where land was more plentiful; for example, from Sicily to the mainland of Italy, or to Asia Minor; and though, on that spot, there might not be a facility of acquiring land, there might be a very great facility of acquiring land in other spots equally rich, which would meet the view of the Honourable Member by showing that there was still a motive for obtaining slaves; that freemen were not so pressed into a narrow space as that, of necessity, some of them should be glad to work for wages as labourers hired by others.

583. Then, upon your general statement, you wish to say that you are unable to draw any definite conclusions from anything relating to the Greek colonies?—I only draw this general conclusion. I find that modern colonies have universally suffered the greatest disasters, and have been exceedingly slow in their progress towards wealth and greatness. I find that the Greek colonies very soon equalled, and many of them soon surpassed, their parent cities in wealth and greatness. I find universally, in the case of the modern colonies from Europe, an enormous proportion of land. I find that either directly or indirectly the modern colonies have benefited by slavery; and have risen from a sort of primitive barbarous state by means of slavery, however great that evil in itself. I have the other fact, upon which there can be no doubt, that all the labour of the colonies of Greece was performed by slaves, both agricultural and mechanical; and finding the general fact of disasters from what I call the superabundance of land, and prosperity with a small quantity of land and slavery, I attribute the prosperity of one set of colonies to the peculiar circumstances in which they were placed, and the disasters of the other set to the opposite circumstances in which they were placed.

584. Does not the same peculiar difference exist, not only in reference to the Greek colonies and the European colonies, but with the Greek nation and the other European nations? Is there not a remarkable problem yet to be solved by history, namely, how it was that there was that remarkable improvement in the Greek nation as compared with other nations? while the travelling of Europe from barbarism to civilization has been long and difficult, and surrounded by all kinds of difficulties, in Greece they sprang at once to civilization, but in Europe they have crept by centuries; does not the same difference exist in the two cases?—The difference is not nearly so remarkable in the case of the different nations. There is no doubt that the Greeks surpassed the other nations of Europe by many degrees, but not by so many degrees as the Greek colonies surpassed the modern colonies of Europe.

585. The *O'Conor Don.*] Do not you think that the Greek colonies succeeded by concentrating in a narrow space, and the modern colonies were slower by dispersing abroad?—Yes.

586. Mr. *Childers.*] Take the Greek colonies on the coast of Greece; did they not go and settle in a country where they were in opposition to the natives?—Generally speaking, they settled hostilely, and were exposed to wars; the wars being more grievous on account of the civilization of the people who attacked them.

587. Take the settlement of the English at present at Madras, Calcutta and Bombay, as compared with the colonies in America; those have been remarkably successful, and they have a species of civilization more like the Greek colonies?—There is no doubt that those settlements have been remarkably prosperous, but they are not the class to which I have been adverting. I have spoken of a colony planted in a country where there is a great extent of uncultivated land. Perhaps I may

I may be allowed to state the reason of the introduction of this subject. I believe the common opinion which exists as to the general prosperity of new colonies, has been principally derived from Adam Smith's view of the subject. Adam Smith asserts generally that new colonies are remarkably prosperous. He attributes their supposed prosperity to their having a vast extent of land at their disposal; to the extreme facility with which every colonist obtained land, and to the very high rate of wages consequent upon that facility. Having thus stated the principle, he illustrates it by referring to the Greek colonies, which had never a large extent of land, and which never had any wages at all, because the whole of the labour was performed by slaves.

588. Mr. *Poulett Scrope.*] You have stated that both in ancient and in modern colonies, you observe a coincidence of prosperity with slavery and concentration of the population, and a failure of those colonies in which there was no slavery and no concentration?—I have not used the word concentration, and I do not believe that it is of advantage to a colony to be pressed into a very small space. I did not use the word dispersion, and I did not mean what is usually expressed by the word dispersion. I used the word separation of labour. There may be a complete separation of labour without any dispersion at all. We have an example of it in a great part of Ireland, where the people live close enough together, but where their employments are all of one kind and the same kind, where all of them are a multiplication of one of them; where there is no intercourse and no exchange, and no helping of each other; there, where the people are concentrated, all the evils of separation occur.

589. If prosperity appears to have accompanied slavery and comparative concentration of population, and the reverse the opposite circumstances, may not the prosperity be owing to the fact of slavery being established in those colonies, and not to the population being concentrated instead of being dispersed?—I do not think that the population was concentrated in those parts where slavery was established. On the contrary, slavery gave them the opportunity of beneficially dispersing, because each batch of persons spread out to a great distance; each batch of them carried with it a mass of compulsory labourers; so that slavery rather encouraged dispersion, looking at the question of the extent of land. In New South Wales I have no doubt that many of the flock-owners have gone to a much greater distance than they would have gone from the capital, because they have been able to take convicts with them to take care of their flocks; and if they had not the labour that existed in New South Wales, they would have remained nearer to the capital, since it would have been impossible to take large flocks into the wilderness without shepherds.

590. *Chairman.*] What do you consider the most striking practical case of evil resulting from too great a profusion in granting land?—The most striking, because it happens to be the last, is the new settlement of Swan River in Western Australia.

591. In what way is that the most striking?—That colony, which was founded with a general hope in this country, amongst very intelligent persons of all descriptions, that it would be a most prosperous colony, has all but perished. It has not quite perished, but the population is a great deal less than the number of emigrants; it has been a diminishing population since its foundation. The greater part of the capital which was taken out (and that was very large) has disappeared altogether, and a great portion of the labourers taken out (and they were a very considerable number) have emigrated a second time to Van Diemen's Land and New South Wales. The many disasters which befel this colony (for some people did actually die of hunger), and the destruction of the colony taken out to the Swan River, and the second emigration of the people who went out, appear to me to be accounted for at once by the manner in which land was granted. The first grant consisted of 500,000 acres to an individual, Mr. Peel. That grant was marked out upon the map in England—500,000 acres were taken round about the port or landing-place. It was quite impossible for Mr. Peel to cultivate 500,000 acres, or a hundredth part of the grant; but others were of course necessitated to go beyond his grant, in order to take their land. So that the first operation in that colony was to create a great desart, to mark out a large tract of land, and to say, "this is a desart—no man shall come here; no man shall cultivate this land." So far dispersion was produced, because upon the terms on which Mr. Peel obtained his land, land was given to the others. The Governor took another 100,000 acres, another person took 80,000 acres; and the

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the dispersion was so great that, at last, the settlers did not know where they were; that is, each settler knew that he was where he was, but he could not tell where any one else was; and, therefore, he did not know his own position. That was why some people died of hunger; for though there was an ample supply of food at the governor's house, the settlers did not know where the governor was, and the governor did not know were the settlers were. Then, besides the evils resulting from dispersion, there occurred what I consider almost a greater one; which is, the separation of the people and the want of combinable labour. The labourers, on finding out that land could be obtained with the greatest facility, the labourers taken out under contracts, under engagements which assured them of very high wages if they would labour during a certain time for wages, immediately laughed at their masters. Mr. Peel carried out altogether about 300 persons, men, women and children. Of those 300 persons, about 60 were able labouring men. In six months after his arrival he had nobody even to make his bed for him or to fetch him water from the river. He was obliged to make his own bed and to fetch water for himself, and to light his own fire. All the labourers had left him. The capital, therefore, which he took out, viz. implements of husbandry, seeds and stock, especially stock, immediately perished; without shepherds to take care of the sheep, the sheep wandered and were lost; eaten by the native dogs, killed by the natives and by some of the other colonists, very likely by his own workmen; but they were destroyed; his seeds perished on the beach; his houses were of no use; his wooden houses were there in frame, in pieces, but could not be put together, and were therefore quite useless and rotted on the beach. This was the case with the capitalists generally. The labourers, obtaining land very readily, and running about to fix upon locations for themselves, and to establish themselves independently, very soon separated themselves into isolated families, into what may be termed cottiers, with a very large extent of land, something like the Irish cottiers, but having, instead of a very small piece of land, a large extent of land. Every one was separated, and very soon fell into the greatest distress. Falling into the greatest distress, they returned to their masters, and insisted upon the fulfilment of the agreements upon which they had gone out; but then Mr. Peel said, "All my capital is gone; you have ruined me by deserting me, by breaking your engagements; and you now insist upon my observing the engagements when you yourselves have deprived me of the means of doing so." They wanted to hang him, and he ran away to a distance, where he secreted himself for a time till they were carried off to Van Diemen's Land, where they obtained food, and where, by the way, land was not obtainable by any means with so great facility as at the Swan River.

592. There are some small settlers remaining at the Swan River, have they taken means to secure combinable labour in the way of slaves?—They have not attained that object, but they have sent a deliberate petition to the Government here, praying that one of the conditions under which the Swan River colony was founded, namely, that convicts should never be sent there, might be abrogated in their favour; that they might be favoured with the service of convicts from England; for that unless that were granted to them, it was quite impossible for them to do any good in the colony.

593. Mr. *Gladstone.*] Do you know whether large portions of the land which were given to individuals, have been broken up since?—Not broken up, I think, because the colony was so far ruined that there has been no demand for land. But some of these large tracts have been forfeited to the Government in consequence of the non-fulfilment of the conditions attached to them. I believe that Mr. Peel never obtained the whole of his grant. I believe that he arrived too late; that he did not fulfil one condition, which was, that he should arrive in the colony at a certain time.

594. How many acres did he obtain?—He forfeited that grant; but as everybody could obtain an unlimited quantity afterwards in proportion to the capital taken out, and as he had taken out a sufficient capital to obtain 500,000 acres, he probably did obtain them in another spot, though not in the spot fixed upon in England.

595. Are you aware what has been the disposal of those 500,000 acres, do they remain uncultivated?—I should imagine that they do, and that they have reverted to the Crown.

596. Was the failure of Mr. Peel's enterprize antecedent to the establishment of

of the first of the regulations to which you have referred?—No; his grant was made in pursuance of that regulation.

597. Was the period at which his failure took place antecedent to the establishment of the first set of regulations for the disposal of land, to which you have alluded in the beginning of your evidence? or was it under other regulations?—It was not antecedent to, but under the first regulations.

598. Was the adoption of the second set of regulations suggested in consequence of the great failure that had taken place under the first?—I think, in the first, the public were promised a second set within a year, without giving any reason, and the intelligence could hardly have been received of the failure of the first set before the second issued. I suppose they were in fulfilment of the promise that there should be a second set; the third set was dictated by a full knowledge of the failure of the first.

599. What was the third?—The same that had been made for Van Diemen's Land and New South Wales in 1831, by Lord Ripon.

600. *Chairman.*] We have not got clearly upon the evidence in what those two first sets of regulations differed from each other, be so good as to state their character?—The first set contained in itself two contradictory regulations, which I have already noticed at the commencement of my examination; the second set did not differ materially from the first set; but it somewhat restricted the facility of obtaining land. I do not recollect the precise terms of it; but I believe that the difference between the first and second set was not remarkable. The contradiction to which I alluded before, was within the first set itself; it was the contradiction between two items in that set of regulations.

601. Point it out?—According to the first item land was given in proportion to the number of people taken out to the colony at the rate of 1*s.* 6*d.* an acre, calculating the passage-money of each emigrant at so much; and by the second item in the same regulation, land was given at the rate of 1*s.* 6*d.* an acre for capital, shown to be ready for application upon the land, which defeated the first regulation, because it deprived the first class of settlers of labourers.

602. Not only that, but those persons who had not expended their money in bringing out labourers to the colony, had more money to expend in paying labourers who were brought out by the first set?—*A.* had brought out labourers; *B.* had not; he had reserved his capital. *B.* then being richer than *A.*, not having expended money in bringing out labourers, enticed away the labourers brought out by *A.*, by offering them higher wages than *A.* could afford. If, on the contrary, both *B.* and *A.*, and all the other letters of the alphabet, had been compelled to take out labourers in proportion to the land obtained by them, in that way a proper degree of restraint would have been maintained upon the number of acres to be given to each person. But the first item, which intended to promote the emigration of labourers, was defeated by the second item, which destroyed the motive of the settler to bring out labourers.

603. Mr. *Gladstone.*] Then the first set having established a very great facility in granting that land, the second set rather tended to diminish that facility?—I do not recollect the precise terms of the second set; for the colony was pretty well ruined, but I believe that there was a sort of restriction in the second set.

604. The third set established that there should be an efficient restriction?—The third set intended to establish an efficient restriction, but it has been totally inoperative in the colony. The grants had been so enormous, that to say "henceforth lands shall be given to no one except under certain restrictions," was completely inoperative in Western Australia.

605. That is the regulation made in 1831?—Yes.

606. *Chairman.*] You are not aware that any land has been granted in Western Australia under that?—I believe that a few acres of land round the government house, and in very desirable situations, have been sold, but a very small quantity indeed.

607. Mr. *Childers.* How did labourers obtain land in Swan River when they wanted it?—The persons who obtained land for nothing (it may be called for nothing) in vast quantities, were ready to grant land to cottiers, to persons who would settle upon it, on the easiest possible terms. I have heard, I think, it said, at the rate of a farthing an acre in Western Australia in great quantities.

608. Mr. *Hutt.*] Have any convicts been landed in Swan River?—No, the petition of the settlers for convicts has not been attended to by Government.

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609. Mr. *Childers.*] You said that the slave states in America were the producers of exportable commodities; are not the northern states also very wealthy, and exporters and manufacturers to a great extent?—The northern states are probably more wealthy, and certainly more wealthy in appearance, than the southern ones; but then I attribute the wealth of the northern states, in a very great measure indeed, to the surplus production of the southern states. The carrying trade of those states which disdain slavery, Pennsylvania, New York, and Massachussets, depends altogether upon the surplus production of slavery in the southern states. They are the carriers of that vast surplus produce which is created by combination of labour in the southern states.

610. Are they not also manufacturers?—By means of a restrictive law, so stringent that they must either be manufacturers or they must almost go without manufactured goods. The tariff of America compels them to be manufacturers; the slaves of America enable them to be carriers and merchants to a great extent; and it has always appeared to me that if slavery were suddenly abolished in the United States, New York and Philadelphia and Baltimore, and the other great commercial cities of the north, would sink into insignificance.

611. Mr. *Roebuck.*] You stated that there were certain means of rendering the colony attractive; the Committee have not understood from you what those peculiar means are. You stated it in very general phrase, but you did not state the individual acts which were requisite, except one, which was that you should not be too profuse in your grants of land; and the other was that you should not be too restrictive. Are there any others to which you wish to direct the attention of the Committee?—I used the word attractive in the sense of political economy only, without reference to the attractions of a free government, or many other attractions; in the sense of political economy only; and by "the state attractive to capitalists and labourers," I mean the highest profits and the highest wages. I consider that the rates of profit and of wages depend in a very great measure upon the productiveness of industry; upon the quantity of the produce obtained as the result of capital and labour; on the amount of produce which there is to divide between the capitalist and the labourer. Taking that point, arriving at the greatest produce with a view to the highest profits and wages to render the country attractive, I have to go back but one step further; and it appears to me that productiveness of industry depends almost entirely upon the combination of labour, upon men helping each other. All division of employments depends absolutely upon it. There can be no division of employments without combination of labour. Witness the common illustration of division of employments used by Adam Smith, and familiar to everybody, that of the pin-manufacture. There the division of employment depends altogether upon the collection of forty men under one roof, each of whom is occupied with making some different part of a pin. Then seeing that the productiveness of industry depends upon the combination of labour, I reach the ultimate step, which is that of preventing the separation of labour by necessitating a certain degree of hired labour. Combination of labour to any extent never takes place except by two means, either by means of slavery when it is compulsory, or by means of hire. I know not of any other means by which labour is ever combined. In order to have free labour so combined, there must be a class of persons in the society ready to let their labour out to hire. That class of persons never exist where land is very cheap, and never have existed. In countries where land is very cheap, the substitute for hired labour is slavery.

612. In support of that view of the case which you have just now stated, you have remarked, that all the early colonies planted by European states have failed, or undergone a long period of suffering; and you suppose that suffering and those failures to have arisen in consequence of the great facility with which the parties have acquired land: have you ever directed your attention to the colonies that have been planted by the United States of America, within these last 50 years, in which there has been great facility of acquiring land, and at the same time an extraordinary success?—The Honourable Member means to refer to the colonies of the United States; the new settlements on the western frontier.

613. The states of Illinois, Ohio, Kentucky, Alabama and others?—I should adduce that case as an example of the benefits arising from restriction. Though there be a very great, and quite a sufficient, facility, perhaps, in obtaining land in those states, there is a considerable degree of restriction; there is a price of

5*s.* 7½*d.* an acre, which must be paid down in ready money, as congress has decreed, before any one acre can be obtained.

614. Then there must be a certain guard of your proposition respecting the facility of selecting land. It is not, as you have said, in all states in which there has been a great facility of acquiring land, but in certain states, in which there has been an unlimited facility, that failures have taken place?—It is entirely a question of degree.

615. But is not the facility which now exists in the state of Ohio, where there is no slavery, of acquiring land, quite sufficient to separate all the settlers very greatly; and if mere separation of labour were the great evil to be dreaded, quite enough to bring about the evils which you have supposed to arise from this great facility of acquiring land?—No, I think not, because the free settlers in the state of Ohio benefit by slavery in the neighbouring states. Mr. Stewart, in his account of America, in his "Three Years in North America," says, that the market for all Ohio, for all surplus produce in Ohio, is New Orleans. Consequently, though the settler upon land in Ohio may appear to be separated from all the world, he is in the closest possible connection with the man at New Orleans, with whom he exchanges his corn, and his wool, and his hides, for furniture, clothes, and other objects of comfort or luxury which he has to enjoy. The case, to be put fairly, must suppose the abolition of slavery throughout the United States, so that all men, black and white, should, each of them, be separated and working for himself, and engaged in the same kind of work.

616. You speak of the surplus produce of Ohio; how comes there to be a surplus produce in Ohio, if, according to your view of the case, the labourers are separated and do not combine?—But I have been supposing that the separation was so great for the sake of argument, as was the supposition in the question. I do not believe that the separation is so great in Ohio: on the contrary, I believe that the price put upon land tends very much to prevent separation, and that men do constantly work for years together in Ohio, in order to obtain the means, and the only means, of purchasing land, that is, money, wherewith alone they can obtain land.

617. Then, to refer to Upper Canada, where they do not work above a year to obtain sufficient land for any labourer; how comes it that there the consequence does not follow of all those evils arising from dispersion?—I think they do to a very great extent, however, in Upper Canada.

618. Mr. *Poulett Scrope.*] Are not those back settlements of Upper Canada and Ohio, which you have spoken of, two of the most prosperous and rapidly progressing colonies in the world?—There is no doubt that they are very prosperous colonies, compared with others of an earlier date; but one circumstance has not been taken into consideration at all, which is the vast amount of immigration which they receive from the mother country, and especially Ireland; immigration of paupers I mean; for if the emigrants who went to Upper Canada from Ireland had possessed the means of at once obtaining land, and setting up on farms, then, in Upper Canada, there would be no means of combining labour; as it is, the people must work for hire, and consequently I do not consider Upper Canada to be an example of that very disastrous state which arises from the influx of a small number of people into a very extensive country, where there is great facility in obtaining land, where the people are separated from the rest of the world, and have not a stream of immigration poured in upon them from another country.

619. Mr. *Roebuck.*] Then, from your present statement, it would seem to be that a very slight difficulty thrown in the way of acquiring land is enough to answer the purpose that you have in view, that of rendering what you call the colony attractive, you speaking as a political economist?—It depends very much upon what is meant by the term very slight. I should use the term sufficient; a restriction which shall be sufficient.

620. Because, on the other hand, you have a very great difficulty, namely, slavery; you drive us to one of two cases. If it be desirable to create this difficulty in acquiring land, you drive us to the improvement of manufactures through the means of slavery, which is a great evil. What is the sum of the difficulty, on the other hand, sufficient to meet that particular feeling which you assert to exist in men's minds of a desire to become land-owners?—I should not call it a very slight difficulty, but I should think it a sufficient one, if the difficulty of obtaining land were such that every freeman was obliged, during three years of his life, to work for wages. That would be considered a very slight difficulty in this

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this country, if every poor man could insure to himself, by three years of hired labour, to become a land-owner; but it might be quite sufficient, and it can only be considered very slight, in point of comparison with the ideas which we have in this country with reference to the possession of land.

621. Supposing that there was no immigration into the colony, and you could by any means, no matter what they are, by any regulations of the Government, attain that general end, namely, of making the labourers, all poor labourers, labour for three years, you fancy, according as your present knowledge goes, that that would be a sufficient check for the end that you have in view?—I do think so; that if the difficulty of obtaining land in every colony were such that every poor man were necessitated to work for hire during some years, say three years, of his existence, the evils of slavery would be entirely avoided, and that the greatest wealth would attend upon the colony.

622. *Chairman.*] You are supposing this regulation to apply to colonies which have a stream of immigration directed upon them?—I will take either case. The period of service would be longer in the case where there was no stream of immigration; but three years might still be sufficient; I object to being called upon to fix any term.

623. Mr. *Roebuck.*] The Committee want to ascertain from you whether there is, in your mind, such a term?—I conceive that there is a term, but I object to fixing that term precisely; I believe that it will be ultimately determined by experience alone.

624. How do you reconcile this statement with the present state of the North American states; you say that you believe that the North American states actually live by being carriers of the Southern American states; do you, from your knowledge of the state of Massachussetts, believe that to be the fact?—I did not say live; I believe that they might live, and have a supply, and an abundance of mere food, without any combination of labour at all; but I do believe that their congregation in cities, that almost all that they enjoy beyond a mere subsistence, all their importance, and the greater part of their social enjoyments, all that which raises them above the primitive state of a mere labourer and devourer of food, is very much indeed to be attributed to their being carriers of the southern states, to their being employed by the southern states to carry their vast surplus produce to different parts of the world.

625. You have fallen into something contradictory here; the Committee take the case of Massachussets as an illustration; there is in that state a difficulty in obtaining land greater than in the state of Ohio or Alabama. There is there a somewhat concentrated population, and according to your own view, I should imagine that there was that difficulty of obtaining land which would obviate the necessity of slavery; how is it that you attribute the social improvement of that state, in which the elements exist for improvement, according to your own statement, to the existence of slavery in the other states?—I have great difficulty in answering the question, because it consists of three or four points; the one which I wish to notice first is, that the difficulty of obtaining land is very great. It may be in any particular part of Massachussetts, but the difficulty of obtaining land somewhere else is not very great. It is impossible to view any one of the American states separately; they must be put as a whole, subject to the same regulations with respect to disposable land, and subject to the same commercial laws. The people can easily remove from Massachussetts, where land is dearer, to other states where it is cheaper, and do actually remove in great numbers every year.

626. That certainly is very true; but do not you suppose that, looking at this fact, the changing one's social relations, the pain of parting from friends, the pain of parting from the place where one has lived for many years, and a variety of other circumstances, that those would necessarily prevent the emigration from any country where there was the means of subsistence?—On the contrary, I think that there is ample evidence of a disposition, on the part of Americans, of a species of habit, it may be almost called, of wandering from one place to another, a love of novelty and change, engendered originally, I believe, by the facility with which land was acquired, but which has now become a national habit. The Americans have been compared to some animals which are unable to stand still, always on the move, except when asleep.

627. Do you find that that applies to all the population?—It applies to so many

many as to be considered, not by me only, but by many travellers in America, as a sort of national habit.

628. Mr. *Poulett Scrope.*] Your mode of preventing the injurious dispersion of the settlers is charging a certain price for land?—No, I have not mentioned that as the method at all; I have only been asked questions hitherto as to the general principle of restriction. There might be many means of restriction; but I consider the most effectual restriction to be the price charged; the most easy method to be carried into effect; the most fair and just towards all; the most equal.

629. Then, as the back settlements of America and Upper Canada are flourishing very rapidly, with the price per acre not more than 5 *s.* 7 ½ *d.* on the average, do you consider that that is a sufficient price to prevent injurious dispersion of settlers?—I do not; I attribute the present prosperity of the back settlements of Upper Canada to a vast immigration of Irish labourers, which does not at all arise from the price of land; and I believe that if, by any circumstances, that stream of immigration should be stopped, the condition of Upper Canada would be greatly deteriorated. There is a fact which illustrates that opinion, with relation to the state of New York. The grand canal of Lake Erie, one of the greatest works in the world, was projected long before it could be begun; it was projected during the war between England and the United States; and it was not begun until after the peace, when a stream of Irish emigrants flowed into the state of New York. Quite as large a proportion as 19-20ths of that great work was performed by Irish labourers, by persons who did not possess the means of obtaining land at the price then required in the state of New York. The public works in Canada have been carried on of late years, and form one of the items of that prosperity of which the honourable Member speaks. Those public works have been wholly conducted by means of immigrant labour, and could not have been begun without it. On that account, therefore, I consider the present prosperity of Upper Canada to depend almost entirely upon a constant supply of emigrants from Ireland.

630. But in an inquiry into the best mode of encouraging colonization, we suppose a continued influx of emigrants into the colony which we are considering, do we not?—I do not. There are two sets of circumstances which may be supposed. The best mode of proceeding under one set would be quite different from the best mode under another set. If there were a continual stream of immigration, the circumstances of the colony would be quite different from what they would be if only the original body remained, and there were no greater increase than the natural increase by births. But it appears to me that good colonization requires a restriction upon the appropriation of land, whether the increase of people be by immigration or by births. In the two different cases, the degree of restriction would be widely different. The requisite degree of restriction will no doubt be less in the case of a foreign stream of people; a less degree of restriction will suffice in that case, than in a case where the increase was much less, arising merely from births.

631. Are there not certain necessary checks to raising the price of land in a new colony, such as the fear of driving settlers to take possession of land on their own account without a title?—I think not; I am not aware of any check of that description.

632. Can you not imagine such a price fixed upon land by the Government which disposed of it, as would induce the inhabitants of the colony to take possession of the unoccupied spots of land without any title?—Certainly I can imagine a price that would be completely absurd; but hitherto I have talked of what I consider a sufficient price. I have not indeed called it price yet; a certain degree of restriction would be sufficient, and do good; no doubt there would be a degree of restriction which would be most fatal to all the objects in view.

633. Does not squatting take place to a great extent in the back settlements of the United States?—Yes, it is encouraged by law. Squatters have a right of pre-emption; they are allowed to obtain land at the auction without bidding for that land which they have occupied, and they have been allowed sums of money where they have not obtained the lands which they had usurped, in compensation for the improvements they had made upon the land. Great encouragement I consider to be held out to squatting in the United States.

634. Do you think it possible, by any system of law, to prevent squatting?—It

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It seems to me to be just as possible to prevent squatting in a colony, as it is to prevent it on the extensive districts of Crown land in Wales.

635. Do not you think that there would be great discontent occasioned in the colony, if its inhabitants were prohibited from making use of fertile lands which they saw round them, with the view of being driven by that prohibition to become labourers for wealthy persons in the colony for wages?—That would depend entirely upon the degree of restriction; there is considerable restriction in the United States; and there restriction, I believe, is extremely popular; I never heard of any sort of objection to it; it seems to be approved of by all classes in America, from the richest to the poorest, and from the most ignorant to the best informed. Of course there is another degree of restriction which would be highly unpopular.

636. Then you admit that the fear of encouraging squatters is a check, to a certain extent, to affixing a high price upon land?—No. In the first place, I hardly understand what is meant by a "high price upon land;" but I say that the fear of squatting would not prevent you from fixing a sufficient price, because I believe, with only a sufficient price, there would be no motive for squatting.

637. Mr. *Roebuck.*] You are acquainted with the tenure of land now existing in Lower Canada?—Yes.

638. And you are also aware that it has had the effect of concentrating the population, and keeping them within a certain space?—I believe that the seignorial tenures have had that effect to a considerable extent.

639. Has it in any way contributed to produce the effects which you suppose would arise from fixing any check upon the granting of land?—I should think it had, to a certain extent. I do not know that it has had the effect of inducing one class of men to work for wages to be paid to them by another class; but it appears to have had the effect of keeping many families together in particular spots, and really to have preserved the Canadian nation; to have preserved that nation distinct from the rest of the world, with its French habits, and what may be called its Canadian customs.

640. Then so far as that may be considered a check to the grant of land, do you suppose that to have improved or deteriorated the social condition of the people?—I think it is extremely beneficial to the people of Lower Canada that they should be so far kept together in places as to have preserved the civilized habits of their mother country, and to have preserved the power of co-operation for a great many other purposes besides that of the production of wealth. The people of Lower Canada are remarkable for their social habits and their affection towards each other, and their love of meeting together; and they have obtained another very great advantage indeed; that is, a very great political power, by means of intercourse and combination among themselves.

641. Then you do not join in the ordinary outcry against that peculiar tenure?—I think it was far from the best, but I think it was far better than the worst; that it was better than the utmost possible profusion, and a great deal better than the Swan River plan.

642. Mr. *Childers.*] You mentioned that the combination of labour, in your opinion, could only arise from two circumstances, slavery and hire, would you not say that to that you may add a third, namely, something of a joint stock company or a municipal corporation?—In my last answer I excluded combination of labour for the purpose of production. I doubt whether the seignorial tenures have had the effect of inducing one class of men to labour for wages to be paid by another class.

643. Has it had no effect in leading them to farm lots together?—Very little.

644. You are aware of the mode of colonization pursued by the natives of Java in their own country?—I am not at all. All the colonization that I know of in Java is that of the Chinese.

645. Are you aware that some colonization in Java has been conducted on the system of combination of labour under municipal regulations?—I am not.

646. Mr. *F. Baring.*] Do you know what were the early Dutch regulations at the Cape of Good Hope?—Yes I do; they were more absurd, if that were possible, than the regulations at Swan River. The whole territory, or a very large territory, was declared open to settlement. A proclamation was put forth, saying, that every one who wished it might appropriate a certain quantity of waste lands. The condition upon which he was to appropriate the land determined

mined the quantity; for he was necessitated to plant himself in a spot which was at least three miles from any other man's land. He was then allowed to draw a circle round about his own house, of which six miles was the diameter. The distance of every settler, consequently, from the nearest settler, was six miles. What became of the interstices (for there must have been interstices between the grants) I do not know; but I conceive that they were what are called in Canada "the Crown Reserves," that is, grants by the grantor to himself. They were not given to any body, but they were placed in a situation where nobody would wish to possess them. The principle upon which these interstices were taken from the use of some, and yet not used by others, has been called, and I think very properly, the "Dog-in-the-manger principle." That term was applied to it by the late Mr. Bentham, in my hearing.

647. *Chairman.*] How do you conceive that a colony might be injured by too great an exercise of the power of restriction on the part of Government?—By at once inflicting upon the colony all the worst economical evils which occur in an old country; by rendering the field of employment for capital and labour so small, in proportion to the capital and labour, that profits, instead of being as high as possible, should be as low as possible, and that wages, instead of being at the maximum, should be at the minimum. It is quite clear that there is a degree of restriction, if you have the power to enforce it, which would reduce the colony to precisely the state of an old country, oppressed by superabundance of capital and of numbers.

648. You think, therefore, that there is some golden mean to be hit upon; but are you aware of any case in which it has been adopted?—I am not aware of any case in which it has been sought, or looked for, or thought of.

649. Do you not think that it has been looked for in the United States?—I think not; I believe that the plan of selling land in the United States was not adopted with a view to any particular end, except that of obtaining a revenue, and perhaps fairness. I can find no trace in the debates of the legislature upon that subject of any other definite object but revenue and fairness. I think the democratic spirit of America may have been concerned in these regulations. The moment a minimum price per acre by public auction, and an appropriation to the highest bidder was established, all land was necessarily disposed of upon equal terms to everybody. There was an end put to the shameful jobbing and favouritism which had taken place under the old system.

650. Do you conceive that the regulations hitherto adopted for the disposal of waste land have uniformly, in every country, and more particularly in our own colonies, tended to prevent the existence of labour for hire?—That has been the general tendency; I should not say uniform, for there is nothing like uniformity in any of those regulations; but that has been the general tendency, subject to various contradictions.

651. In what way have the regulations been contradictory?—In the case which I noticed before of the Swan River regulations. One regulation tended to produce a state of things, under which there would be labour for hire; another regulation, existing at the same time, counteracted that tendency, having an opposite one itself. There are numerous instances of that sort of contradiction; it exists at this moment in Canada and New South Wales, in the regulations of 1831 called Lord Ripon's Regulations. One regulation for selling all land at a very low minimum price, indeed only 5 *s.* an acre, tends, I believe, to prevent the existence of labourers for hire; but on the other hand, the governor has the power of withholding what land he pleases from the market; consequently, although the minimum price be only 5 *s.* an acre, the governor can really put what price he pleases upon the land. He has only to limit the quantity, and then it matters not what the minimum price should be. The selling price would be according to the quantity; therefore I conceive that regulation which desires that land should be sold at 5 *s.* minimum, and the other regulation which gives the governor the power of determining the quantity of land, or gives him the full power of limiting the quantity, are of a directly contradictory kind; and from observing that in almost all settlements, I conceive that regulations have been made without any definite object; without having any view, any steady purpose and defined object; that they have been framed by a sort of hap-hazard, a sort of chance.

652. Mr. *Gladstone.*] Would you go so far as to say that these have been contradictory one to the other; and is it not your opinion that the effect of the second might neutralize the beneficial effects of the first under certain circumstances,

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stances, but not necessarily?—Not of necessity, but that the whole regulation, taken together, admits of one part of it being used to defeat the other.

653. It gives a discretion, which discretion may be abused?—Yes; either not wilfully but ignorantly, or both wilfully and ignorantly.

654. *Chairman.*] During the period that the system of granting was pursued, were any conditions annexed to the grants, providing for the due cultivation of the land?—Very generally; some sort of condition which seems to have had for its object the due cultivation of the land. That term appears to have been very generally attached to grants; the term "due cultivation." It was so in the Swan River and in Canada, and in many of our old colonies in America, now the eastern states, and is a term generally used, but only generally, without any specification. I am not aware of a single instance in which "due cultivation" was defined.

655. Do not you conceive that some conditions might be annexed to grants of land, which would secure a due cultivation of those grants?—I cannot imagine any. I have tried to devise some condition that should compel the settler to cultivate his land, to use his land properly; and I find that all such conditions, however strictly due cultivation might be defined, would be conditions to be performed after the grant had been obtained; that, I think, has always actually been the case. All the conditions hitherto imposed have been conditions to be performed after the grant has been obtained; consequently, there was nothing to prevent the settler from obtaining more land than he could use; at worst, he could but forfeit the land afterwards, in case he did not fulfil the condition; he, therefore, took so much as made it absolutely impossible for him to fulfil the condition, whether the condition were the cultivation of a certain part, or the payment of a quit-rent. Not fulfilling the condition, he ought, according to law, to have forfeited his land; but then all his neighbours were in exactly the same predicament; and the persons who had to administer the law, the governor and the members of the council, were in the same predicament, for they all had appropriated lands subject to those conditions; and they conspired to defeat the law wherever there was a law of forfeiture. Mr. Edward Ellice, in his evidence before a Committee of the House of Commons in 1826, upon the civil government of Canada, is asked "whether he is aware that anything was ever done under the Act of Parliament, by which it was determined that lands not cultivated in Canada should be forfeited?" and he said, "No, I am not aware of a single instance of any forfeiture under that Act, though the Act is imperative." He was then asked "why no such forfeiture had taken place?" and he said, "that he could account for it, because he knew that it had been the fashion for every councillor, that is, every legislative councillor of the colony, and every chief executive officer of the colony, to receive a grant of from 5,000 to 20,000 acres of land, which were more than he could by any possibility cultivate." The law, therefore, was defeated by those who ought to have carried it into execution. They had all the same interest with the mass of settlers who had obtained land, and the condition was never performed; I am not aware of a single instance in which the condition has been performed. The same condition was imposed at the Swan River. Mr. Peel took his 500,000 acres upon condition of duly cultivating them; but then, who was to determine what due cultivation meant? In the next place, supposing you hit upon what due cultivation means, who is to carry the law into execution? The governor, who himself had got 100,000 acres, ten times as much as he could by any possibility duly cultivate? The condition at the Swan River has been a mere dead letter, as, I believe, it has been everywhere else; and all conditions must become so which are in the nature of a promise, or something to be done after the grant has been obtained.

656. Then how would you prevent any individual from taking more land than for the advantage of the colony itself he ought to have?—By imposing a condition which should not be in the nature of a promise, but which should be some act to be performed before the grant was obtained.

657. What do you conceive that condition to be?—It appears to me, after a great deal of inquiry and reflection upon the subject, that the best of all conditions to be performed before the land is obtained, is payment of a certain sum of ready money, which plan appears to be recommended by its simplicity, and by its great fairness to all; also by its absolute certainty. You are quite sure if ready money is to be paid before the land is obtained, and the price is the right one,

that

that more land will not be appropriated than there ought to be. You can make that previous condition quite effective.

658. You look upon price as an effectual mode of restriction, and you conceive that there is no other way than by restriction upon the appropriation of land, in which Government could provide for combination of labour in a colony where there yet remains a great extent of unappropriated land?—I know of no other mode. Wherever land is very cheap, there all the people try to obtain some land; and I know of no other mode of restriction.

659. You do not think that labourers could be bound to work for any given period?—That plan has been most extensively tried, and in almost all colonies; because in almost all colonies there has been felt to be great want of labour; but the plan has almost universally failed. A labourer goes out under contract to work for wages; but on reaching the colony, his temptation to set up for himself is so great, that he quite laughs at the contract. And then suppose what has often happened, that the capitalist, being a party to the contract, endeavours to enforce the contract. His great object is to obtain some labour, not to expend his time and his own labour in punishing another. He may punish an indented labourer, but at a greater cost of time and money than it is worth his while to expend: the consequence is, that the greater number of indented labourers have broken through the contract. Mr. M'Arthur, a great landed proprietor in New South Wales, and a very sensible man, said some time ago, in a pamphlet I believe, that there was not a single instance in New South Wales of an indented labourer having been held to his bond. The only case in which indented labourers have been held to their bond, was one which occurred in the non-slave-holding states of North America. Those people disdained slavery. A great number of Germans ("Redemptioners," as they were called) were conveyed thither during the war between England and the United States, when emigrants were not to be obtained from Ireland; were conveyed in very large numbers indeed from Hamburgh and other ports of the north of Europe. They being Germans, speaking only German, knowing nothing of the laws of the United States, a dull and obtuse people, submitted to be actually sold by auction in New York and Philadelphia, in the midst of the Quakers, like negroes, and were conveyed to the back settlements of those non-slave-holding states, and there held as labourers, not merely during the time of their contracts, but during the time of other contracts which their masters exacted from them, having them in a helpless state; so that, in point of fact, there were really and truly slaves in the non-slave-holding states of America. They were as much slaves as those persons who 150 years ago, and 100 years ago, and even 70 years ago, used to be kidnapped in England and in various parts of Europe, and conveyed to those states which disdained slavery. Nothing was more common some time ago than to carry great numbers of people by force from Europe to the non-slave-holding states of America. They would not have black slaves, but people of their own race. These they had in great numbers, and found them extremely useful. That is a case in point.

660. Mr. *Roebuck.*] It was one way in which great men got rid of disagreeable people?—Yes, occasionally.

661. Mr. *Gladstone.*] Was that during the first American war, or during both?—If the honourable Member means the redemptioners, it was during the last war. I have seen somewhere an account of the number received in New York during one year, and it was very large, a very extensive slave trade.

662. Are you aware whether any of these contracts are still in existence?—I think probably not. Those Germans would have acquired a knowledge of the English language by this time, and would have set themselves free.

663. *Chairman.*] Besides which the necessity for those redemptioners has been superseded by the tide of Irish labourers?—Those redemptioners were poured into the non-slave-holding states of America, at the time when it was intended to begin the Lake Erie Canal, which could not be begun for want of Irish emigrants. Since that, the same inducement to get slaves from Germany has not existed.

664. This slave labour was procured for the eastern states subsequently to the abolition of negro slavery?—Yes; the others were provided with negroes.

665. Mr. *Roebuck.*] Are you aware that by the 31st of Geo. 3, there was a court of escheat established in Lower and Upper Canada?—There may have been

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been a court of escheats established; that is, there may have been judges with salaries; but nothing was done.

666. There really was nothing done, though the Act was imperative, until within these last two or three years?—Until quite lately; but for the reason why nothing was done I gave to the Committee the best authority; that of Mr. Edward Ellice.

667. Are you aware that till within two or three years a court has been established and a judge appointed in Lower Canada?—I am not aware of it.

668. *Chairman.*] You do not conceive, therefore, that the Government could enforce any contracts made with labourers brought out to the colony, except by withholding land from them till they had worked during a certain time for wages?—All experience induces me to answer that question in the negative. I think that there is no method of holding labourers to contracts, except that of preventing them from getting land.

669. Would you propose any other restriction upon getting land than a certain price per acre?—Certainly not; because I think restriction in itself an evil. I would propose some degree of restriction with a view to one object, and one object only. Having sufficient restriction for securing combinable labour, I would then say that all further restriction must produce unmitigated evil; and that a price, for even a single acre, more than was absolutely necessary, would be most improper.

670. Then subject to one condition of a certain price per acre, you think that there ought to be a perfect liberty of appropriation?—Complete, as it appears to me.

671. Do you think that the limitation of the quantity of land to be bought might produce a similar effect to the restriction of price?—Yes, I have said that before. It is quite clear that a limitation of quantity, if it were strictly enforced, might have the very same effect as the restriction of price. The limitation of quantity differs from price only, inasmuch as it is more difficult to carry into execution. The effect would really be the same, if the limitation of quantity were as strictly enforced as that of price.

672. Besides which, the limitation in quantity would constitute the colonial authority judges of the capabilities of the settler and the quantity which he might require?—It would be like determining the price; it would be another method of determining the price. The price would depend upon the quantity in the market in proportion to the number of buyers. Then if the quantity were limited, according to that would be the price; it would be a roundabout method of effecting that which might be done at once by fixing the price.

673. Mr. *Gladstone.*] The Committee understand the objection which you have just stated, to refer to the restriction of quantity; but what do you think might be the effect, or do you think the effect must always be injurious, of establishing the minimum quantity, below which no quantity should be sold? Do not you think that that is a principle which might sometimes be advantageous?—I think that, provided a sufficient restriction had been secured by a certain price, every other restriction would be an evil.

674. Do not you think, supposing land might be sold in quarter acres or half acres, that your own principle of securing combinable labour would fail in being carried into effect?—I should make quite sure of combinable labour by means of the price; by means of compelling the person to labour during a certain time, before he could purchase land at all.

675. Could you affix such a price to the land as would effect that object, if it were allowed to be sold in such minute portions as are specified?—I conceive the difference between its sale in large lots and in small portions would be immaterial; because if there were a restriction from buying land in very small portions, it is quite clear that the largest capitalists would purchase large tracts, and would divide them into the smallest lots that would offer a profit. Land would always be obtained in small quantities, if there were persons to buy it.

676. Are you not afraid that the disposition to buy land might take this particular direction?—I think it could not take it to a mischievous degree, if every purchaser of land was by the price necessitated to labour during a term. That restraint would be sufficient; and I believe that the motive for taking a small quantity of land would be diminished. The motive for taking a small quantity of land may be strong where there is no prospect of obtaining servants; but if the restraint of price should operate sufficiently to ensure a constant supply of hired

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hired labourers, then every purchaser of land would wish to obtain a larger quantity to employ servants upon it. The motive for obtaining small pieces would be very much diminished by an ample supply of hired labour.

677. The Committee understand your object to be to keep up a supply of hired labour; and the Committee wish to direct your attention to this danger that might exist. Does it not appear that every emigrant would have at his command a few shillings, or a pound or two, that would be required to buy an acre of land, or whatever sum is contemplated as the minimum price?—Whatever the difficulty, I do not conceive that it would be mitigated by allowing the Government the power of restricting the quantity to be given, or rather by forcing Government to sell only large quantities; because individuals would purchase large quantities, and cut them up for sale. What the difficulty might be is another question.

678. Suppose the thing to be desirable in itself, might not that mode of evading the law be prevented by making it a condition in the grants of large quantities?—I think that it would not be desirable to prevent the sale of land in small portions by such a regulation; because I believe that hired labour being secured, the people would not be for taking small pieces of land; and I do not find that inclination to exist now. The motive for obtaining some land is very strong indeed; but the practice is not to obtain small pieces. The object of every settler is to obtain an estate. There is nothing in the colonies like the Irish cottier system. They always try to obtain something like a farm.

679. Although there has been no exemplification of such a system in the colonies, yet do you not think that it is possible that such a system might develope itself in the course of a few years in the colony?—I think not. I think if we supply our colonies with the means of civilization and improvement, that is, with hired labour, we should supply them with that which would enable them (which appears to be in the nature of things) to go from worse to better. It seems to be in the ordinary nature of things that persons should go on from worse to better, if they are supplied with the means of doing so.

680. *Chairman.*] There is one part of our colonial possessions in which it is more probable that this system of purchasing small lots of land might come into effect, the West Indies?—Yes.

681. Do not you conceive that there it might be necessary to adopt a system of fixing the minimum quantity of land to be disposed of, because from the superior fertility of the soil a very small plot would be sufficient for the subsistence of a separate family?—Undoubtedly, it follows, assuming the soil of the West Indies to be so fertile that a very small quantity would suffice for the maintenance of a family, that if in the West Indies you carry out the principle of sufficient restriction by means of price, you must put a proportionately higher price upon the lands; you must put such a price, if you mean to create hired labour in the West Indies instead of slave labour, as will, with that fertile soil, produce hired labour; and no doubt it will be a high price, comparatively.

682. Mr. *Gladstone.*] Do not you think that the object would be better obtained by adopting a restriction of the quantity as well as the restriction of price, than by having the restriction of price without fixing any minimum quantity?—Supposing that private proprietors of land were prevented from cutting up their properties, and selling them in small lots, it might be desirable in the West Indies; but it would be quite useless for the Government to say, "We will not sell in small lots," if the large proprietors did sell in small lots.

683. Mr. *Childers.*] Would that not be such an interference with private property as would be impossible to effect?—The state of the West Indies, the extraordinary state of society there, calls for an extraordinary law. The question is, what is the object, and what are the best means? No doubt it would be called in England a very curious interference with property; but in the West Indies it appears a very proper one.

684. Mr. *Gladstone.*] You are of opinion that in the West Indies, without committing yourself decidedly as to a state of things, which as yet remains in a great measure hypothetical, it might be beneficial to establish a minimum in quantity as well as minimum of price for the disposal of Crown lands?—I think that it might, provided the same minimum quantity were to be applied to sales by large proprietors of land.

685. Mr. *Poulett Scrope.*] By the restriction upon the quantity, or by imposing a high price, do not you drive the inhabitants of the West Indies to settle without authority,

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authority, or to squat upon the unoccupied land; and how would you prevent that?—I would prevent squatting upon the unoccupied land precisely as squatting is prevented upon the unoccupied lands in Wales and England; that is, by ousting the usurpers, if there were any.

686. Have you the means of establishing such police regulations in an extensive colony like New South Wales, or the back settlements of America, as you have in Wales and England?—I believe that such a law would be completely carried into effect in the back settlements of the United States; I am inclined to think that it might in the West Indies; but New South Wales is hardly to be considered a colony; it is under such peculiar circumstances that I cannot say what might happen.

687. Is it not known that in the back settlements of the United States any one who attempts to disturb a squatter will have a bullet through his head?—No, I think not.

Jovis, 23° die Junii, 1836.

MEMBERS PRESENT.

Mr. Ward.	Mr. Francis Baring.
Mr. Poulett Scrope.	Mr. Scott.
Mr. William Gladstone.	Mr. Chalmers.
Mr. Roebuck.	Mr. Childers.
Mr. Hutt.	The O'Conor Don.
Mr. Pusey.	

MR. WARD, IN THE CHAIR.

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Edward Gibbon Wakefield, Esq., called in; and further Examined.

688. *Chairman.*] YOU referred in your evidence yesterday to certain evidence given by Mr. Edward Ellice, with regard to the mode in which land has been disposed of in Canada; and you then said that you could not recollect the exact words made use of by him, but you would refer to those words; have you made an extract of them?—Yes; I have extracted them from the report of the Committee to the House of Commons; they are these: "Grants have been most inconsiderately and wantonly made in large masses, to people connected with government, to the great detriment of the country, and the great nuisance of the inhabitants around. Land has been so granted in large masses, since it was the fashion for every councillor or officer connected with the government to get a grant of from 5,000 to 20,000 acres. Some of those grantees were absentees, and some of them governors of the colony."

689, Mr. *Gladstone.*] Have you any direct knowledge of the facts to which Mr. Ellice alludes in the evidence which you have read? or do you merely cite his authority for that?—I rely entirely upon his authority.

690. Mr. *Roebuck.*] Do not you know that there is a return to the House of Commons stating the fact in as strong a way as Mr. Ellice has stated it?—I am not aware of the fact being so stated, but I find the fact stated in 20 different ways, almost in every publication of every traveller who has visited Canada; the extreme profusion of the government in granting land to its own officers.

691. *Chairman.*] To resume the examination of yesterday: You have stated that price is the only safe restriction that ought to be put upon the appropriation of land, and that, subject to price, you think there ought to be an unrestrained appropriation?—Yes; because I consider that when the object of a fixed price has been attained, there ought to be no further restraint.

692. What evils do you conceive would result from allowing the colonial authorities to determine the situation of the land which should be open to purchase?—Whatever evils might result from the unnecessary interference of government with the concerns of individuals. Individuals would be the best judges of the situation in which they should like to obtain land. They would consider their own interests, and be sure to select the most favourable spots. The government being necessarily occupied with such affairs as belong to government, could not judge for them, and could not so well point out to them, as they could for themselves

themselves discover, what were the fittest situations for settlement. That appears to be the general principle; but evils of many kinds have actually arisen from allowing the government of a colony to determine the place in which the grants shall be made. There was a very remarkable instance of that in New South Wales. Before the regulations issued by Lord Ripon in 1831, the most common condition upon which land was to be obtained in New South Wales, was the possession of a certain capital wherewith to cultivate the land; and a regulation existed in the Colonial Office which informed persons here possessed of capital, that if they went to New South Wales they would obtain so many acres in proportion to the capital possessed by them. Many persons confiding in that regulation, went to New South Wales, landed in Sydney, and applied to the government for a grant of land in the neighbourhood of Sydney; that is, for land in the neighbourhood of a market, in what they considered the most favourable spot. It was the common practice of the government or of the persons charged with the business of land granting, to say, No, we do not at present intend to grant any more land in this, the county of Cumberland, in which Sydney is situated: if you want a grant of land, you must go into a district called the district of Bathurst, which is 200 miles off; that is, on the other side of the Blue Mountains. In that spot there was no town, nor any market, nor any good roads. Many settlers were compelled to settle in that district of Bathurst, instead of in the immediate neighbourhood of Sydney; and some who did not choose so to banish themselves into the wilderness, returned to England, or went to Van Diemen's land, or followed some other pursuit than that of obtaining land for cultivation.

693. How do you conceive that the liberty of appropriation, which is your object, both as to quantity of land and as to situation, might be thoroughly secured?—It appears to me that this complete liberty of appropriation, both as to quantity and situation, might be thoroughly secured by very extensive previous surveys; by surveying so large an extent of land in advance of settlement as to give every person ample room for choice. If all the land surveyed was declared open to purchase, every settler would fix upon that spot which he thought the most desirable; and upon paying the requisite purchase-money would obtain the land upon which he had set his heart. If the sole condition were the price per acre, there could be no limit as to the quantity. If the settler chose to pay, under an extravagant supposition, 1,000,000 *l.* he might obtain 1,000,000 of acres. I mean to say that there would be no limit as to situation or quantity, if the survey were sufficiently extensive. Every one would be able to choose that situation and that quantity which he should think most desirable.

694. Do you conceive that this perfect liberty of appropriation exists in the United States?—Certainly not. The evidence of Mr. Stephenson went to show that only a limited quantity of land is ordinarily put up during the year by the United States; and that any quantity beyond that limit cannot be put up, except by special direction of the president.

695. Is there liberty of appropriation, or anything like liberty of appropriation, under the present system in New South Wales and Van Diemen's Land?—I believe that there is not. The regulations called Lord Ripon's Regulations of 1831, appeared to establish perfect liberty of appropriation; but I believe the fact to be that the governor exerts a restrictive power, and I find that fact almost proved by a statement made by Mr. Hanson. He quoted Dr. Laing, minister of the Scotch church, and president of the college at Sydney, who has recently published a work respecting New South Wales, and who in that work states, that if there were perfect liberty of appropriation in New South Wales, if all the land at the disposal of government were laid open to purchase, a certain quantity of land in the neighbourhood of Sydney would immediately fetch 200,000 *l.* If then there be land which being brought to sale would fetch 200,000 *l.*, land so much desired as to be worth 200,000 *l.*, and that land be not appropriated, it is quite clear that there is some check upon appropriation.

696. Do you conceive that there would be any objection to give credit for the purchase-money of land;—Yes; as it appears to me, the greatest possible objection; because the giving of credit for the purchase-money of land would be like granting land upon some condition to be performed after the acquisition of the land. If you gave credit for the purchase-money, the buyer might still take from you 10 or 100 times as much land as he could use; and the worst that could happen to him, after all, would be that he should have to forfeit the land. By giving credit for the purchase-money, you would hold out to settlers

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settlers the greatest temptation to take more land than they should be able to use. Every one would trust to his good fortune, as men are very much inclined to do, with a belief that he should be able to cultivate a greater extent of land than he was really able to manage; and the consequence would be, of necessity, the forfeiture, or at any rate a call for some law of forfeiture, which probably, as in all former cases of a law of escheats, would not be carried into execution, because public opinion would be stronger than the law.

697. You conceive therefore that the system of giving credit would in fact do away with the good effect of establishing a fair minimum price of land, which you suppose a necessary regulation?—I should suppose the giving of credit to be in direct opposition and defiance to the principle of fixing a restriction.

698. Mr. *F. Baring.*] There is another point which you would establish by it also, that if the system of giving credit were carried to a great extent, the very fact of a large population of the poorer sort owing money for their lands, is almost a reason for their feeling disaffection towards the government, and dissatisfaction because government are constantly pressing upon them their claims?—That might have a considerable influence upon the political feelings of the poorer part of the population; but there is another evil which is very considerable; it is the uncertainty which every one who owed this money, would be in as to his being able to pay it. He would have a property, and yet not have it. That would have injurious effects upon the industry of the colony and the disposition of men to accumulate and use their property in the most profitable manner.

699. *Chairman.*] Can you give the Committee any example of the benefits arising from the sale of land, as contrasted with the results arising from gratuitous grants?—I think there is a very striking example of that contrast in the two sides of the St. Lawrence. All travellers in that part of America agree in describing the United States side of the St. Lawrence as a cultivated country, having roads, and ports on the lakes, and ships, and carriages, and towns, and all other signs of wealth and civilization; but in describing the Canadian side of the St. Lawrence they tell of a barbarous country, but half cultivated, with a common practice among the settlers of exhausting portions of land and then leaving those portions and running over other portions of virgin soil; and thus presenting altogether a very remarkable contrast with the American side in point of wealth and civilization. I find that stated in every book of travels (and they are very numerous) relating to that part of America. It appears to be a general and an indisputable fact. I have found another general and indisputable fact, which is, that on the American side of the St. Lawrence there has been a considerable restriction as to the appropriation of land, and that on the Canadian side, on the other hand, there has been the greatest possible facility for acquiring land.

700. Mr. *Gladstone.*] When you say "a barbarous people," do you mean to apply that expression to the character of the inhabitants, or to the face of the country and its physical state?—To the face of the country, and the character of its industry, and the slovenly, the imperfect results of industry on the Canadian side of the River St. Lawrence. In that part of the world was to be observed another fact, which leads to the conclusion that a colony gains by a restrictive price on its waste land. For many years together, a large proportion of the Irish emigrants who emigrated to Upper Canada used to emigrate a second time into the United States. There was in fact, in consequence of the poverty of Upper Canada, in consequence of that slovenly mode of cultivation pursued there, a want of capital for the employment of the emigrants who came out; and when the emigrants arrived, on settling themselves in Upper Canada, they found it impossible to obtain employment at good wages; but on the American side of the St. Lawrence, on the contrary, where industry was more skilful and more productive, there existed a very great demand for the labour of the newly arrived emigrants; and the higher wages and the greater facility of obtaining employment at high wages on the American side, induced the Irish emigrants by thousands and tens of thousands to cross the St. Lawrence and become citizens of the United States, instead of settlers in Canada. That appears to me to be a very striking advantage derived from a restriction on the appropriation of land.

701. *Chairman.*] You attribute all those differences to the existence of a restriction on the sale of land on the American side of St. Lawrence, and to the want of

that,

that on the other; but have you ever read the despatch of Lord Goderich, which establishes the plan of selling land in Canada?—Yes, I have read the despatch; but I do not find that it establishes the plan of selling land in Canada. It establishes the plan of selling some land in Canada: but whilst the despatch by itself would appear to desire that all land should be sold, I find that land is still given away to a very great extent indeed. In a letter which appears in a return on the table of the Committee, from Mr. Peter Robinson, the commissioner of the crown lands in Upper Canada, who was desired to make the returns called for by the House of Commons, that gentleman, being the commissioner of lands, that is, the person charged with the selling of land under Lord Goderich's despatch, complains of being called upon to give the results of what he calls another department of land management. He complains of being called upon to give an account of the lands which have been granted without sale; and he says in his letter, "I have the honour to transmit a return of lands sold, but not granted by the government, between the years 1823 and 1833, inclusive;" 1833 and 1832 were two years after the date of Lord Goderich's despatch.

702. Do you mean after the system of sale was professedly introduced into Canada?—Yes: he says, "furnished to me by the surveyor-general of the executive council; but in reference to this last return of grants made under the general regulations which apply to the land surveyor, I beg leave respectfully to observe, that it has occurred to me that the call which has been made upon me, and by the desire of the Secretary of State, to furnish a return of those grants, has been founded upon the supposition that my department participates in the duty of preparing them. It was probably made upon that supposition, but it was an erroneous supposition; but his excellency the lieutenant-governor is aware that this is by no means the case." The lieutenant-governor on the spot was no doubt aware that lands were given as well as sold; for that is what it means. "They have no connexion with grants of this description, which were made before the system of selling was adopted, and which grants since the establishment of this department" (that is, the plan of selling) "continue to be made, as before, through the intervention of the governor and council, of the surveyor-general, of the attorney-general, and the auditor-general, of the secretary, and of the registrar." That is, six persons, notwithstanding the establishment of the system of sale by Lord Goderich's despatch, have still the power of giving land away.

703. Mr. *Gladstone*.] Are you aware by what right they hold that power; are they exempted specially in Lord Goderich's despatch, or is no allusion made to them, or do they do it in defiance of Lord Goderich's despatch?—I am unable to account for it: I only find the fact stated by one of those gentlemen, who must be aware of the fact, who would not have stated it officially to the governor if it had not been the fact.

704. Do you understand that the grant is without restriction?—I have no knowledge of it.

705. *Chairman*.] Do you conceive that those grants would be valid in the face of a despatch, such as that of Lord Goderich's?—Lord Goderich's instruction is not the law; it is merely a letter. Whatever system has been established in our colonies appears to me to have been established without any sort of security for its being executed.

706. Mr. *Gladstone*.] But Lord Goderich's despatch is valid against anything above the law?—I do not know. It appears to me, that inasmuch as Lord Goderich overturned the system of his predecessor, Lord Goderich's successor might have overturned his system; and so on, there might be a change with every new Secretary of State; and as we have had seven Secretaries of State for the colonies in seven years, the changes might have been very frequent.

707. Does it not appear to you that the authority of the Secretary of State for the time being would be good in the colony as against anything except the law, and that therefore if Lord Goderich's despatch expressly forbade the granting of lands there, the power which has been exercised by those officers could not have been legitimate, unless exercised under an express law?—Nothing is more common than this in distant colonies, in countries which are distant from their own government; the officers totally neglect the orders received from home, as if such orders had never been received.

708. Mr. *Roebuck*.] Are not the words which Mr. Robinson uses "grants are made through the intervention of those officers"?—Yes.

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709. And therefore, is not the grant made in the name of His Majesty, as all other grants are, and therefore valid against even any order of the Secretary of State?—Probably they are grants from the Crown.

710. *Chairman.*] Is the sign manual of the governor, although given in defiance of instructions from home, as precise as those contained in Lord Goderich's despatch, sufficient to constitute a good title to the grant in Canada?—I imagine that it does; that the governor represents the Crown; and although the Crown, through the intervention of the Secretary of State at home, had ordered one plan to be pursued, the Crown may, through the intervention of another authority in the colony, adopt a different plan at the same time.

711. Mr. *Roebuck.*] Do you happen to know the case of Mr. Felton?—I do not.

712. *Chairman.*] Do you conceive in the word "intervention" which occurs in that return which you have been reading, that Mr. Robinson implies that it is from the governor in person that those grants are procured, through the intervention of the other officers, or that the officers who are alluded to by Mr. Robinson have the right in themselves of making those grants?—Certainly not that any officer, except the governor, has the right of signing any document which would be considered a valid grant.

713. Mr. *Gladstone.*] Your impression is, that it is an influence, and not a power, which is exercised?—That it may be not an improper influence: they may be charged by the governor with recommending to him the cases in which he ought to bestow grants; but I wish to add, that I believe all the grants of land by the Crown in our colonies at this moment are really contrary to law. The subject has been so little cared for, that perhaps this has never been seen before; but at the commencement of his present Majesty's reign, he assigned all his lands in the colonies to Parliament; he abandoned all the Crown lands in the colonies, in his home and foreign possessions; so that in point of fact Parliament alone at this moment possesses strictly all power of disposing of lands in the colonies.

714. Mr. *Roebuck.*] Are you quite sure of that?—Quite sure; and the same thing, I believe, was done by George IV.

715. Mr. *Poulett Scrope.*] If, in your opinion, the grants of land under the present Sovereign are invalidated on that account, does not the objection equally apply to grants by former Sovereigns?—I did not express an opinion that grants were invalidated; I dare say they are very good holding titles; but they appear to be contrary to law. The words will be found in the message of his present Majesty to Parliament upon his accession to the throne, at the time of the settlement of the civil list.

716. Mr. *Gladstone.*] With reference to the cession at the commencement of the reign of George IV., to what source do you refer the Committee?—To the same; to Hansard's Parliamentary Debates.

717. *Chairman.*] Was there a similar message on the accession of George IV.?—I think so; I think the words are precisely the same.

718. You object to the principle of grants as simultaneous with sales; in the first place, because they weaken the restriction upon the appropriation of land. Are there any other inconveniences which might arise from allowing gratuitous grants to exist at the same time with the plan of selling?—Yes; there appears to me to be the greatest possible unfairness in giving land to some, while you compel others to buy; and if by giving, whilst you sell, you defeat the object with which you do exact payment from some, you really take money from them gratuitously; so that there is not only an unfairness, but a total inutility in the proceedings. Suppose the object of a price to be to produce a restriction, that is defeated by means of the grants without payment; and it makes a portion of the settlers, those who cannot find favour with the governor, alone to contribute a certain sum towards the colonial revenue.

719. Mr. *Gladstone.*] You are aware that under the present regulations of the Colonial Office, land is given in certain cases to persons who have served in the army and navy?—I am.

720. Does your objection go so far as to disapprove of there being any exception to the general rule; or do you think that it is fair and equitable that the country should make them a compensation for their services in that way as well as in any other?—It seems quite proper that the country should make them compensation for their services, but not at the expense of a particular class of people.

people. It is quite fair that the government should reward them for their services, but it is unfair that the government should fix upon a certain class, and say, you alone shall reward them.

721. Do you think that by that plan they fix a burden upon the other settlers?—They fix upon them what is worse than a burden: they fix upon them the evil of having the plan of restriction defeated. They deprive them of the consideration for which it may be supposed that they have paid for their land; that is, sufficient restriction, combinable labour, productive industry, wealth and civilization. It appears to me to be the most extravagant mode of compensating persons, who ought of course to be compensated in some way.

722. *Chairman.*] Is not the result of these grants in general, that the land so granted is thrown into the market at a much lower price than the minimum price required by government for other lands?—The plan of selling has not been tried long enough in our colonies to give many facts on that head; but there is one very striking one in the history of the land sales of the United States. After the last war between England and the United States, congress made a very large grant to disbanded officers and soldiers as compensation for their services during the war; an exceptional grant free of payment; and in the following year land was to be obtained in large masses from those officers and soldiers at a lower price than the minimum price required by the act of congress; so that for a time the public sales of land, in some districts, were completely put a stop to.

723. Mr. *Gladstone.*] Do you think it would be possible to attach any conditions, of occupation or otherwise, to the grants, which would render them unsaleable in that manner?—All conditions to be performed after obtaining the property in the land, as I ventured to say yesterday, appear to me to be quite certain of failing of their object.

724. Mr. *Poulett Scrope.*] Your objections apply only to the inordinate grants of land as compensation for soldiers, not to the grant of a moderate quantity, such as the soldier can take into cultivation himself?—No; they apply to all grants, because, whether the quantity were moderate or immoderate, the soldier might sell the grant at less than the minimum price exacted from other people by the government.

725. Mr. *Gladstone.*] At the same time the settler might do the same under other circumstances, though it would be less probable?—But it is improbable that he should sell his property for less than he had paid for it.

726. *Chairman.*] Is the system which you think the best for the disposal of land at present in force in New South Wales and Van Diemen's Land?—I think not. In the first place, because there is not liberty of appropriation, subject to a certain price per acre. In the next place, because the same authority which established the plan in New South Wales and Van Diemen's Land, may overturn it to-morrow, or some other authority may do so. Lord Ripon established the plan of selling there. Imperfectly as it is established, it was a plan contrary to that established by his predecessors. It might have been a very bad plan. I happen to think that it was a very good one; but it might have been a very bad one. Whether it had been good or bad, Lord Ripon alone had the power of establishing it. Since then, Lord Stanley has had the same power; Mr. Spring Rice has had the same power; Lord Aberdeen has had the same power; Lord Glenelg has had the same power; and in the course of five years more, five other persons may have the power of overturning, by a stroke of their pen, the regulations (laws they are not fit to be called) made by their predecessors. The extreme uncertainty therefore of the system, the want of anything like a character of permanence, appears to me to render it extremely defective.

727. Mr. *Gladstone.*] Do you think that that uncertainty has prevailed practically?—I think that in the whole system of colonization it has prevailed; because I find, in every colony of which we have any good account, that the changes of plan have been constant; that almost every new authority has fancied that he had devised some new plan which was better than that of his predecessors.

728. Referring to history; when the plan of selling land has been adopted, has there been any doubt as to the stability of the system during the last few years which have elapsed in consequence of the change of persons presiding over the lands?—I cannot speak as to the feeling of persons in the colony; but I know what the feeling has been here; that persons who felt the deepest interest upon the

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the subject, whenever there was a change of ministry, have looked with the greatest apprehension to what might have been the mere will and pleasure of the new Secretary for the Colonies.

729. *Chairman.*] Do not you think that this change has operated to keep down the price of land in the market; that there would be a much greater probability of persons investing capital in the colonies if they were not liable to such fluctuations as you have alluded to?—Of course. The uncertainty of the continuation of the system has operated in that way, because, though if the system were established by law it might certainly be a profitable speculation to purchase a great quantity of land at the present price, still, with the possibility of a change, and of the land being afterwards given away by another government, the speculation might not be worth attention, and might be considered a very dangerous one, and not fit to be undertaken by any person of prudence.

730. Mr. *Hutt.*] Is it sufficient for a good system of colonization that land should be sold? and is it not likewise requisite that it should be sold upon a fixed uniform principle?—So it appears to me; that it should be sold, and sold uniformly.

731. *Chairman.*] You consider, then, that the principle of sufficient restriction has been adopted by our own government in New South Wales, by fixing a price for land. Do you think that that price is sufficient per acre, at present, for carrying the principle into effect?—I consider the minimum price in New South Wales and Van Diemen's Land to be so totally inadequate to its object, that I cannot admit that the principle has been adopted. The principle is a sufficient restriction; but if the price be so low as not to afford a sufficient restriction, then the principle is not adopted. It might happen, I believe that it has happened in New South Wales, that the plan of selling affords greater facilities instead of imposing greater restraint. I believe that when the governor of New South Wales had power to grant precisely what quantity of land he pleased, the facility was less than it is now, when, although he be not obliged to put up for sale all that is required, he still, under Lord Goderich's despatch, finds it necessary to put up a good deal for sale. It appears to me that Lord Goderich's regulations, establishing so low a minimum price as 5 *s.* an acre, are not to be considered as an adoption of the principle; and if the word were not thought presumptuous in me, I should say that I protest against those regulations being taken as an experiment of this particular plan. I look upon them, not as an experiment, not as an adoption of the principle, but as just such a colourable adoption of it as to bring it into discredit.

732. You believe, then, that in New South Wales, in consequence of the plan of selling at the present minimum price, there is a greater instead of a less facility in acquiring land than there was before?—I am inclined to think that there is. Before the plan of selling was adopted, the officers of government had very strong motives for restricting the quantity. By means of restricting the quantity, when the population was on the increase, they gave to certain portions of reserved land a comparatively high artificial value. As soon as those portions of land had acquired a comparatively high artificial value through the increase of population, then the officers of government had an opportunity of bestowing very great favours upon their friends and dependants; and then grants of land were made which were extremely valuable. They had therefore a strong motive for maintaining a considerable restriction. The despatch of Lord Goderich has set free a great deal of this land; not all of it, because, as Dr. Laing says, land in the immediate vicinity of Sydney would fetch 200,000 *l.* if brought to market. Therefore all the land has not been set free, but a great deal of it has; and therefore I do believe that the labourer (and it is to the labourer that we have to look) would find it more easy now to obtain land in New South Wales than he would have done before the issuing of Lord Goderich's regulations.

733. Do you attribute any evil consequences to this greater facility of obtaining land in New South Wales at present?—Not in New South Wales, because New South Wales is very sufficiently supplied with slaves; with a class of labourers who are unable to obtain land whether it be cheap or dear. The export of wool from New South Wales and Van Diemen's Land to London in the last year, the population altogether being only 100,000, amounted to 500,000 *l.* The export trade of New South Wales and Van Diemen's Land last year, in proportion to population, exceeded by six times the export trade of the Canadas; but then the flock owners of New South Wales possess, by means of convicts,

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the power of compelling 10 or 12 or 50 men to attend to large flocks of sheep; they are amply supplied with woolcombers and shepherds, who can bring their wool in a perfect state to the London market. That state of combinable labour in New South Wales, arising from the labour of convicts, has not been affected by the greater facility of obtaining lands in New South Wales, because the facility has not applied to the convicts at all.

734. Mr. *Gladstone.*] Do you still think, notwithstanding what you have said of the great facility of obtaining land in New South Wales, that the change which took place in 1831 was an improvement?—I do not think that it was; I think that it so completely failed of that which may be supposed to be its object, the raising of the price, that I do not consider it an improvement.

735. You would consider it an improvement in so far as it contained a recognition of a principle which you think to be a sound one?—I do not think it did contain a recognition of the principle; but it assumed to do so. The principle is a sufficient price. Any price short of a sufficient price, is not a recognition of the principle: on the contrary, it is a recognition of the very reverse.

736. *Chairman.*] If the system of grants were absolutely put an end to, and the price raised sufficiently to secure a supply of hired labour, you would consider the method of proceeding in New South Wales the best that could be adopted?—Provided the present insecurity were put an end to by some law.

737. You do not conceive regulations issued by the Colonial Office to be a sufficient security for the permanence of any system?—Certainly not, because they are liable to be put an end to by new regulations at any time.

738. Did the regulations now in existence with regard to colonial lands proceed from the Colonial Office?—I believe they did. When those regulations, which have often been alluded to, of Lord Ripon, were first spoken of, I obtained a copy of them; and I found some words upon a sheet of paper, but there was no signature. They were lithographed; they were not in mere writing; but that was all the authority I could ever find for them; that they were to be procured at the Colonial Office in a lithographed state.

739. But without the signature of the Secretary or of the Under Secretary?—There was no signature to them at all; and I believe there never has been any.

740. You would have the principle of a sufficient price guaranteed by Act of Parliament?—Yes. A price has been long so guaranteed in the United States of America.

741. Would you attempt at the same time to fix the minimum price of waste land by Act of Parliament?—The United States fix and alter the minimum price by means of an act of the legislature, and by no other means; but I doubt whether it might not be more desirable to allow to some special authority the power of fixing a price; for circumstances might occur in which it would be desirable to alter the minimum price, either to raise or to lower it. In that case no doubt application might be made to the Legislature for an alteration in the price; but if there were somebody specially charged and made responsible for the execution of the duty under an Act of Parliament, I should consider that authority more likely to fix the price well than the Legislature itself. If the principle were established by the Legislature, then the carrying of it into execution ought, I think, to be confided to a special and responsible authority, just as the principle of the new poor law is being carried into execution by the special and responsible authority of the poor law commissioners.

742. Mr. *Poulett Scrope.*] By the term "principle" in your last answer, do you mean your principle of sufficient price to secure restriction?—I mean by principle a legislative enactment, by which it should be declared that some price should afterwards be fixed by a special authority; but I did not intend to say that in my opinion the Legislature ought to determine what is a sufficient price.

743. *Chairman.*] Then you think that if the plan of requiring some given price per acre were guaranteed by Act of Parliament, the amount to be required per acre from time to time might be left to the discretion of those who had to carry the Act into execution, varying very possibly with the circumstances of the different colonies?—I think so, provided that the persons who had to carry the Act into execution were specially charged with that duty, and were really responsible for the performance of it.

744. Then, as the first part of your plan, you consider that it would be necessary to create a responsible authority, having a discretionary power as to the price of

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of waste land?—I think so; a board of commissioners charged specially with the duty of determining the price of waste land.

745. And to give publicity to all the proceedings of that authority?—That would be indispensable towards responsibility, because without publicity there can be no responsibility. At present the proceedings with respect to land granting are involved in a great deal of mystery and secrecy; and that is one reason why at present there is hardly any responsibility. Without publicity there can be none that might be considered effectual.

746. Is this secured by the present system in South Australia?—It is to a considerable extent. An Act of Parliament has been passed for South Australia which fixes the minimum price of all land in that colony; which confides the selling of land to a board of commissioners; which compels those commissioners to make an annual report of all their proceedings; which therefore provides for publicity; but which leaves those commissioners without salaries, so that, in point of fact, the South Australian commission is a dilettante commission, an amateur commission, a sort of a fancy commission. One of the members of that commission is also a member of this Committee, and he will bear me out in stating that there is no obligation on any one member of that commission to attend to the performance of the duties of the office. It appears to me therefore that one necessary ingredient of responsibility is sufficient pay.

747. The commissioners that you would propose to establish would have authority as to the minimum or upset price; and the price at which land would actually be sold would be settled by competition at auction?—I object to the plan of auction altogether.

748. On what grounds do you object to the plan of selling by auction to the highest bidder above the minimum price?—Having clearly defined the object with which I would require some price, namely, to obtain combinable labour in the colony; having found out a price which I should consider sufficient for that object, I should consider auction, by which I might obtain in many cases a higher price, to be more a mode in which to tax the settlers. Having got a price which was sufficient, I should say, why any further restriction or any further exaction of money from the settlers? I have but one object; having secured it, I wish to avoid all further interference with the liberty of action in the colony.

749. Mr. *Roebuck*.] You object to that mode of raising a revenue?—That is quite another question, as to raising a revenue. I am now speaking with a view to colonization alone.

750. You use the words "unnecessary taxation"?—Unnecessary with a view to the sole object that I have in view.

751. You do not object to auction if it was adopted for the purposes of revenue?—Yes, I do, on other grounds.

752. *Chairman*.] What are your other objections to the plan of selling by auction?—That of its interference with a fixed price which should be both the minimum and maximum. With a fixed price, every one, whether he were rich or poor, would obtain land upon precisely the same terms. They would obtain different quantities in proportion to the different amounts of their wealth; but whatever they did obtain, they would all obtain on precisely the same terms, whether per acre or per 10,000 acres; whereas, if the land were put up to auction at a minimum price, the richer settler—the one who should choose to pay a fancy price—would exclude the poorer settler, and drive him to a greater distance, and compel him to sit down in a place which he had not selected. That appears to me to be unfair.

753. But suppose that two persons should fix their minds upon the same spot, should select the same particular portion of the unsold land, and that the two should wish for it, is not auction the best mode of determining such a dispute?—I think not; I think in determining such a dispute in England, when there is competition in the market, that is the most natural mode; but then your object in England is to obtain the highest price you can get. That is not the object in the colony: your only object in the colony is to obtain a sufficient price, or a particular price. Here, when an estate is sold, the object of the seller is to get as much as possible; and he naturally resorts to auction. Having fixed a sufficient price, all that would have to be looked for in the colony is perfect fairness; and I find a perfectly fair method of deciding between two competitors for the same piece of ground, namely, lot: nothing can be more fair than lot.

754. Then, in a case where competition arose between two settlers as to the same

same piece of ground, instead of disposing of it to the highest bidder, you would dispose of it by lot?—Yes, between the several applicants, however numerous they might be, for one fixed price.

755. And you would propose one fixed price, whatever it might be, which should be both the minimum and the maximum?—Yes.

756. Is not that the course which the commissioners for the new province of South Australia have pursued?—That is the course which they have pursued. The Act of Parliament under which they proceed gives them a discretionary power to adopt either the plan of auction or the plan of a fixed price. After a great deal of consideration (some of them having for years closely attended to the subject, and possessing a very intimate knowledge of it) they came to the determination that auction was an improper mode; that a fixed price was the proper one, determining in any case of competition for the same piece the question between the competitors by means of lot.

757. What do you imagine would guide the proposed commissioners in determining a price for any certain period?—It appears to me that there would always be materials for ascertaining whether the price fixed were too high or too low. If the rates of profits and wages in the colony, and especially wages, were at all injuriously low; if the colony had become at all unattractive by means of a fall of wages, it would have become quite clear that the field of production was too circumscribed, and that the price of land was too high at that rate of increase in the population. If, on the contrary, instead of this pressure of population upon land, there should occur a difficulty on the part of capitalists in obtaining labourers wherewith to maintain the productive system of cultivation which I will suppose to be existing in such a colony, then it would be clear to the commissioners that the price was too low, and that some more stringent power ought to be called into action in order to maintain that productive state of industry which had resulted in the first instance from the imposition of a sufficient price.

758. Do you consider that the price now required by the Congress of the United States is sufficiently high?—I think decidedly not; and I build that conclusion upon a great number of facts, one of which, however, appears to me to be quite sufficient for the purpose. The value, to sell at market, of the slaves in the United States of America, exceeds 120,000,000*l.* sterling. The existence of such a value in the slave population of the United States appears to me to be conclusive in showing that the price of waste land is too low; for to what can we attribute the existence of this great value of slaves, but to the want of other means of performing those industrious operations which are performed by slaves? It appears to me that if the price of land in the United States were high enough to provide for the combination of free labour, that is, high enough to compel every poor freeman to labour during a certain term for wages, the slave population of the United States, instead of being worth 120,000,000*l.* to sell in the market, would become valueless. I find in the United States that slavery is proceeding more rapidly than it ever did in any country before; that the increase of slaves from breeding surpasses what used to be the increase of slaves in the greatest slave-holding countries by importation, that is, by means of the African slave trade.

759. Mr. *Gladstone.*] And surpasses the increase of the whites?—It even surpasses the increase of the whites. The low price for new land established by the United States appears to me to hold out the strongest inducement to the maintenance of slavery in the Union, and on that ground chiefly I believe the price to be a great deal too low.

760. *Chairman.*] You connect the two by supposing that the low price of land holds out so great an encouragement for the dispersion of the free population of the United States, that slave labour in other portions of it becomes indispensable?—I should not use the word dispersion. I should say that the low price holds out such facilities for obtaining land, that a sufficient number of freemen for carrying on the industrious operations of the United States are not compelled to engage in such operations by hiring out their labour for a certain term of years.

761. Mr. *Gladstone.*] Do you think that the fact to which you have adverted with reference to the increase of slavery and the profitableness of slavery in the United States, bears entirely upon the subject which you have adduced it to illustrate? And do you not apprehend, from the nature of the climate in the slave

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slave states, and the nature of the cultivation in connexion with it, that slavery is maintained in some degree from those causes, as well as from the low price of land and the consequent difficulty of procuring a class of free white labourers?—There can be no doubt that climate has a very considerable influence; but I doubt whether it be a necessary one. Hitherto slaves have been obtainable when free labour has not. The attempt to raise such commodities as sugar, cotton and rice within the tropics by means of free labour, coloured labour I mean, has never yet been made. It is very well to assume that none but slaves will raise sugar and cotton, because none but slaves have hitherto done so; but it appears to me that if the blacks, to whom the climate is suitable, were prevented from obtaining land, whether in the United States or in our own West Indies, they would work like workmen here for wages; they would work in combination, and the very circumstance of their being free would induce the capitalist, instead of trusting all to the sweat of the labourer, to trust more to his own invention, to improvements of cultivation, and machinery. I do believe,—I speak only of my humble opinion,—that the cultivation of sugar may proceed in the West Indies as well with free labour as ever it has done, and perhaps better.

762. Then it is by black labour and not by white labour that you think that the cultivation in the southern states of the Union would be supported?—Yes; because the white constitution seems to be very ill adapted for hard work in tropical climates.

763. Then you think that the fixing a higher price on land than you regard as a sufficient price would bring into operation a body of white free labour, which would be set in opposition to the black labour?—I would suppose a case, to explain myself, of the abolition of slavery by the United States at this time. I say that the consequence of that would be, unless a more restrictive price were put on waste land, that the slaves who had been set free would no longer work for a master; every one would work for himself and by himself. If, on the contrary, a sufficient price were put upon all waste land in the United States, it appears to me that the United States, by setting free their slaves, would obtain, instead of a body of slaves, a body of free men, who would work in combination, and raise the same productions as the slaves had done. I am now speaking without any reference to the creation of white labourers in that country.

764. Do you think that the annexation of a sufficient price by Congress would have any operation upon the state of slavery in America?—My own opinion is, but I am hardly willing to state it without a longer explanation than the Committee can afford to me, that the United States possess the means of abolishing slavery without injury to any one; and that those means reside in the price of waste land.

765. *Chairman.*] You would apply, in short, an increased price of waste land as a necessary restriction, in order to ensure the supply of hired labour, whether the population were black or white, or leaving the colour to vary with the climate of the different states?—Yes, as the colour naturally would vary with the climate.

766. Your objections to the plan of auction are not so strong as to an insufficient fixed price. You would prefer auction, with a sufficient minimum or upset price, to a fixed price which was insufficient?—Yes; it is quite clear that the degree of restriction would be determined by the minimum. Supposing there were perfect liberty of appropriation, the labourer would always be able to obtain land at the minimum. It is that which would settle the degree of restriction. I should therefore prefer auction, which I object to with a sufficient minimum, to a fixed price which was insufficient; because with an insufficient fixed price, every object of fixing the price would be defeated.

767. Mr. *Poulett Scrope.*] You think that the Legislature should give a discretionary power to certain officers to affix a price upon land, and to raise or lower it as they might think proper; would you have the Legislature lay down any rule or guide for the exercise of that discretion?—Yes, I would.

768. Of what nature should that rule be?—I cannot pretend to recite part of a proposed Act of Parliament now; but I should say that the function of the Legislature in laying down the principle would be precisely like that which the Legislature has exercised in laying down the principle of the new poor law. The objects of the reform which has now taken place in our poor laws, are defined by the Act of Parliament under which the commissioners are carrying the Act into effect. In the same way, I imagine that the Act of Parliament, having

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for its object to carry into effect such a plan as that which has been developed to the Committee, would lay down those principles in general terms, such as those which have been used to-day and yesterday; so that the authorities having to execute the Act might know precisely what was expected of them by the Legislature.

769. Then the Committee understand that you would have the Legislature lay down as a guide to the commissioners the principle of affixing a sufficient price upon waste land, and maintaining that price which shall prevent too great a facility in the obtaining of land, with a view to keeping wages at a just elevation, to securing the development of industry, to developing the resources of the colony in the most favourable and in the most rapid manner, and to the securing the other general objects of a good system of colonization?—The view especially with which I should be happy to see the Legislature lay down those principles, I have often described as being the existence of combinable labour in the colony. That is my ultimate end. I find that end very forcibly described in a little publication, and would beg permission of the Committee to read only a few lines of it, because I think it will give a full answer to the question. "The obstacle to the rapid growth of a colony founded in a country possessing great natural advantages, has hitherto been the deficiency of labour. This it is that is at present felt so strongly in New South Wales and Van Diemen's Land. Land, which would produce the richest crops of corn, is there left barren and unproductive to its owners, because labour cannot be procured at any price. So fruitful is the soil, that you have but to scratch its surface and throw in the seed. When this has been accomplished, the crop not unfrequently rots upon the ground from the impossibility of procuring hands to harvest it. The cry of all the settlers in these colonies is, "Give us a supply of labourers! even if you cannot give us freemen, give us convicts, give us slaves. We want but labour, and the more you send us, the more we shall want. Of capital we should soon create enough here, if we could only obtain sufficient labour to develope the inexhaustible productiveness of our land." I have quoted from a speech made by the Honourable Member himself, at a meeting at Exeter Hall, about two years ago.

770. Admitting the truth of the opinions you have read, how do you conceive that Parliament could by any Act lay down a rule which could be trusted to in guiding the discretion of any commissioners, in the exercise of the trusts you would repose in them, which should not be open to the abuses already experienced in the disposal of land by former colonial governors or officers?—No human power is perfect; but the power of the Legislature is the greatest that can be exercised; and if Parliament understood its own principle, I conceive that it would find sufficiently strong terms wherewith to bind the subordinate authorities to the principle.

771. Is not that principle open to very large construction and difference of opinion as to the degree in which one price or another price should be the best according to it? and may not a large discretion, for the good exercise of which the commissioners are alone responsible, be, through ignorance or misapprehension, abused by them?—Unquestionably; so, in every case, ignorance and misapprehension, presuming that they exist, will lead men into error, but not more in this case than in any other. I am supposing Parliament to understand its own principle; and that its principle is a sufficient price. If I understand that principle, I conceive that Parliament would find means to compel the subordinate authority to carry it into effect.

772. Do you think that any 10 men could be found in Parliament to agree as to what is a sufficient price to be affixed upon the sale of land in any of our colonies?—Certainly not, and for that very reason I have proposed that Parliament should confide that rather difficult task to a special and responsible authority, who should have nothing else to do; who should be selected on account of their knowledge, fitness and ability, to do that which I believe Parliament is incompetent to do well.

773. As that commissioner would be responsible only to Parliament, it would be for Parliament to judge whether he exercised in any one instance that discretion prudently or not?—No doubt, as it is in every other case where Parliament confides discretionary power to a subordinate authority.

774. *Chairman.*] You conceive that the only test of a good rule being adopted would be its working in the course of time; that that is the only test by which Parliament

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Parliament could judge whether a good price had been affixed?—Of course that could be the only test as to whether a good rule had been adopted; but the provision for the adoption of a good rule would be the selection of the best persons, and placing them in the situation where they would exert the best capabilities for the best end.

775. Supposing the power of fixing the minimum price to have been delegated to commissioners, the test of the proper exercise of that power would be the working of the system which should be introduced?—Unquestionably.

776. Mr. *Poulett Scrope.*] How long a period would it be before it were discovered that a bad rule was in force in any one colony?—I think that that might be discovered within three days of the adoption of a bad rule. I think that when Lord Ripon established the price of 5 *s.* in New South Wales, anybody who at all understood the subject would have seen that a bad rule had been adopted; and that instead of a restriction a greater facility had been given to the obtaining of waste land.

777. Would it not be a far simpler plan, and less liable to abuse, if the fixed price, or the fixed minimum price, were at once laid down in the Act of Parliament, as it is in the United States?—I think not. I think that Parliament is so constituted as to be perhaps a very fit assembly for determining principles, but quite unfit for the management of details; and that that is a matter of detail, carrying the principle into execution; a function for which Parliament is altogether disqualified by its vast numbers and numerous occupations.

778. *Chairman.*] And by the very small number of those who would give attention to this subject?—By its numerous occupations.

779. Mr. *Poulett Scrope.*] Would you have the person empowered to determine the price resident in this country or in the colonies?—I imagine that a good executive power for carrying that law into effect would consist of a board of commissioners here, and of sub-commissioners in the colonies, acting under the orders of the superior board, which is the case in the United States. It should be remembered that the district land officers of the United States are entirely subject to a board which sits at Washington, and that, in point of fact, the distance between the district land officers of the United States and the central board is as great, in some cases, and in some cases it is greater, than the distance between England and many of her colonies; and yet the system appears to work remarkably well there. So that though the chief authority would reside here, in order to apply the general principle to all the colonies which would call for a central authority, the district commissioners would reside, each of them, in the colony to which the principle was directed.

780. But do you think that these district commissioners should have the power of affixing the price of land?—Perhaps not, but only of making representations to that responsible central commission which was in England.

781. Then the price of land in Australia having been fixed in England, it would at least be two years before the results of that rule could be ascertained in England and the system altered?—It might not be more than from six to eight months.

782. There would be three voyages required?—Only two; a voyage to bring a report that the price was bad, and a voyage to take out the new price.

783. Another voyage to alter the system?—Yes, if it had been again found injurious. That would occupy a year; the average passage to Australia is four months.

784. You have said that the price affixed by Lord Goderich is too low, and that in the United States it is too low; have you formed in your own mind any idea of what would be a sufficient price in either of those countries?—Yes, I have in my own mind formed an idea of what would be a sufficient price to begin with; but I should beg to be excused by the Committee from stating my opinion upon that subject, as I think that what might be the price would a good deal depend upon many arrangements which are not at present made, such as the security of the system and the skill of the persons to whom the execution of the plan was committed, and I should therefore dislike very much to give a positive answer to that question. To do so would be usurping the office which I propose to confide to persons who were sufficiently acquainted with the subject, who were highly qualified for executing the task, who, being in authority, would have ample information on which to form their judgment. I do not pretend to

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be qualified for performing that task, and do not like to render myself at all responsible for its performance.

785. Are there not certain circumstances which must limit your raising the price with a view to your principle very materially; as, for example, the terms on which land can be obtained in other colonies and countries of the world possessing an unlimited extent of fertile land? would you not, by affixing a considerably high price, divert the stream of emigration to countries where land could be obtained on easier terms?—I find it difficult to answer that question without understanding what is meant by "a considerably high price." I have always said a sufficient price. If the price were sufficient, I think it would render the colony attractive instead of repulsive. If it were "considerably high," that is, an extreme price, of course it would have the effect supposed in the question.

786. If it was considerably high, as compared with the terms upon which land was to be obtained in other neighbouring territories?—Then if the price were, according to my view of the subject, insufficient in this territory and sufficient in that, I believe that the colony which had the higher price would attract emigration from that which had the lower one; because it would be more wealthy; wages and profits would be higher in it; and the inducements to settle there would be much stronger. I have spoken of the Irish emigrants to Canada who have been enticed into the United States by means, I believe, of the price required for waste land in that country. I have spoken of the emigrants to the Swan River, where the land was to be obtained at the rate of a farthing an acre, who were enticed into Van Diemen's Land, where it was never to be obtained under 5 *s.* an acre, by the superior attractiveness of that colony where the higher price existed. I think that the price has been insufficient; but a colony with a sufficient price would be more attractive than any colony that has hitherto existed in any part of the world.

787. Do not you think that you may raise the price so high in search of a sufficient price, as to create a great deal of discontent among the inhabitants of the colony, particularly the labourers, who, you say, should be compelled to pay a sufficient price to become labourers of hire for a term of years before they were allowed to purchase land and settle upon it, and that a free state of public opinion would prevent you from raising the price of land under these circumstances to the height that you might consider sufficient for the object of your principle?—The question comprises so many subjects, that I have great difficulty in answering it. The first part of the question, or rather the first question of several, appears to be, whether very injurious effects might not be produced by requiring an extensive price. I said yesterday, in answer to that question, Yes, the worst possible effects, or the evil effects that attend on over-populous old countries; but this, it appears to me, is like saying that when you are ill, you may cure yourself by taking a certain quantity of physic, but that, by taking another quantity, you may kill yourself. Of course there is a price which would be injurious: a sufficient price would be good.

788. But if the labourers of the colony should not be of opinion that the price is low enough for their purposes, and if you declare that the object in raising the price is to compel them to be labourers during a long term of years, instead of settling as they have been used to do upon tracts of land, is not it likely that a fearful spirit of discontent would arise amongst them, which would prevent your carrying your regulation into force?—I think, if the price were excessive, there would be discontent along with a great many other evils, but that if the price were only sufficient, there would be great content and satisfaction. Everybody would be proud of the wealth and prosperity of the colony, and all parties would equally share in that superior degree of wealth and prosperity.

789. You have defined your sufficient price as one which would compel labourers to work for hire three years before they became settlers?—I merely put three years as a supposition; I took care not to be fixed with the term of three years, as I have taken care not to be fixed with any price.

790. You consider that to be the most desirable?—No; it might be five or seven, or two or one; it was taken merely for illustration.

791. Can you contemplate affixing any such price upon waste land as shall prevent the labourers for hire, at the high wages which you consider will be brought about by your principle, from purchasing a sufficient quantity of land to maintain themselves and their families within the first six months of their landing

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ing in the colony from the savings in their wages?—That question is indirectly a repetition of a former one; at least it is calling upon me to fix some time (and give an opinion upon six months) during which I think that the restrictive price ought to hold labourers in the state of labourers; and I find that any answer which I should give to that question would be an opinion by implication as to the price.

792. But the effect of your principle would be to raise the existing wages in the colony. At those wages could not any labourer lay by at least 20 *l.* from the savings of his summer's labour? and could not he, even at the price of 2 *l.* per acre, therefore, obtain a sufficient quantity of land to subsist himself and his family for the whole of their lives?—Of course, if wages were agreeable to the assumption of the Honourable Member, and if the price of land were agreeable to the assumption of the Honourable Member, the consequence would be that which the Honourable Member assumes; but I dissent from the premises of the Honourable Member. I give no opinion about what ought to be the price of land, or what is likely to be the rate of wages. The Honourable Member answers the question himself; because there is no doubt that the conclusion contained in the question is strictly drawn from his own premises.

793. Unless the price of land be fixed above 2 *l.* an acre, or the wages of the colony fall below their present amount, the labourer would be enabled, by the savings of only a summer, to become possessed of a sufficient quantity of land to maintain himself and his family?—That might be, supposing the price were 2 *l.* The Honourable Member seems to have fixed upon the price of 2 *l.*, and it has occurred to me that that may have arisen from his recollection of an anonymous work upon this subject, which was published three years ago; a work of which the whole aim, scope and tenor, was to establish the expediency of a sufficient price for waste land in all our colonies. The anonymous author of that work, which was entitled "England and America," very soon after it was published received a letter, from which, with the permission of the Committee, I will read a few words. I would beg the Committee to bear in mind that the work had but one object, and there is not a page in it, nor a line in it, that tended to any other object than that of establishing the expediency of a sufficient price for waste land. The words of the letter are, "I cannot remember ever reading any work with greater interest, or more thoroughly going along with any author in his views, opinions, and sentiments, than I have done on this occasion. I have been long a zealous friend of colonization, as the one great cure of our economical evils, and a solution of all the most perplexing problems of political economy, but the notions which were but vaguely floating in my mind, I find methodized and arranged in a more lucid and convincing order in your work; a work which I trust will fix the attention of the public on this great subject, and secure the adoption of a wise and effectual system of colonization by the Government of this country."

794. *Chairman.*] By whom is that letter written?—That letter has the signature of the Honourable Member who has recently asked me a great many questions, of which the apparent tendency is to call in question that principle of colonization which it is the object of the work which I have mentioned to establish.

795. Mr. *Poulett Scrope.*] To whom was that letter addressed?—The letter was addressed to the anonymous author of the work; without a name; "To the Author of 'England and America.'"

796. Is it not very possible that the writer of that letter may have expressed a strong favourable opinion of the general scope and tendency of the work, without agreeing in every particular opinion contained in it?—It may be so, but the work had only one tendency, and he says, "I cannot remember ever reading any work with greater interest, or more thoroughly going along with any author in his views, opinions and sentiments."

797. You have stated that the general object of that work was to put forward the principle of a sufficient price of land being required upon the principle you have referred to; was there not a great deal in that work relating to the question of emigration; to the question of applying the proceeds of the sale of land to the carrying out of emigrants; to the question of carrying out marriageable couples, with a good selection of those emigrants; and to several other very general and important questions, which the writer may have had in view when he wrote that strong eulogy of the work?—Undoubtedly; but in that work the emigration alluded to was described as a mere consequence of the peculiar plan of disposing of

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waste land, the description of which really forms the staple of the work. The emigration resulting from that particular plan was no doubt described in the work, but the whole foundation of the work (I had better repeat the terms I used before), the whole aim, scope and tenor of the work, was to establish the expediency of sufficient price for the waste land of the colonies. As a result from that it was said, that the purchase-money of land might be employed as an emigration fund; but the object of the work was to show how the fund might be created, and not, in particular, how it might be employed.

798. Mr. *Hutt.*] You said that you consider that Parliament would be an unfit body to determine the fixed price at which colonial lands should be disposed of; but it would be better that the power of establishing that price should be vested in commissioners; are you aware that, for South Australia, the commissioners have raised the price of land from 12 *s.* to 1 *l.* an acre?—Yes, I am.

799. Are you aware that they have given the resident commissioner in the colony a power to raise the price to 2 *l.* should there be any scarcity of labour for hire?—I am.

800. Admitting that their conduct in this respect has been guided by sound policy, does it not exhibit the inexpediency of leaving to Parliament to determine the price of colonial land?—I think that in so far as the South Australian Commission have carried out the principle of the Act by which they were constituted, they furnish an example of the expediency of entrusting the execution of such an Act to special commissioners. To a very great extent they appear to me to have carried out the principle of the Act with the execution of which they were entrusted; but indeed they could not very well avoid doing so, because the principle is very strictly laid down in the Act. The South Australian Act of Parliament did fix the minimum price. I believe that in the case of the South Australian commission, which I called dilettanti, (not disrespectfully, but because it consists of amateurs and persons not paid, very benevolent and public-spirited gentlemen, but upon whom the public can have no claim to insist upon their services), I think that they have, to a great extent, carried out the Act, but I find that the Act prevents them from fixing less than a minimum price of 12 *s.* an acre. I am inclined to think, from what I have heard, that if the Act had not fixed the minimum of 12 *s.*, they would have been disposed, the majority of them, those who know the least upon the subject, to sell land at less than 12 *s.* an acre.

801. Are you aware that settlements have been recently formed in the neighbourhood of South Australian settlements at Portland Bay and Port Phillip?—Yes; I have seen letters from persons in Van Diemen's Land which describe the formation of settlements on the south coast of Australia, within what is called the territory of New South Wales.

802. Do not you think it necessary, too, for the full developement of the principles of the South Australian Company, that a similar principle should be adopted with respect to the adjoining land of New South Wales?—I think it would be highly desirable that a similar principle should be adopted in New South Wales and Van Diemen's Land; but I think so more with a view to the advantage of New South Wales and Van Diemen's Land than to that of South Australia; because I am inclined to believe that South Australia, with the numerous and extraordinary advantages attached to it, such as the employment of the whole of the purchase-money of land as emigration fund; that is, in conveying labourers to the colony; will present circumstances of the most attractive kind. In point of fact there exist inducements now, which are in action, to settlers in New South Wales and Van Diemen's Land to remove from those colonies and to settle in South Australia.

803. Mr. *Childers.*] Will you state what those are?—The class of persons who I understand contemplate removing from New South Wales and Van Diemen's Land to the new colony are principally flock-owners. At present, in New South Wales and Van Diemen's Land, the flock-owner is altogether dependant for his means of going on with his business upon the pleasure of the government. The government alone supplies him with labour. The government possesses the power to deprive him, without an hour's notice, of all the labour by which his flocks are kept in existence. The tenure of the means of life almost, at any rate of the means of everything but of life, in New South Wales and Van Diemen's Land, is extremely precarious. Instances occur—there is a very remarkable one at present before the public—in which a wealthy settler, a man who has gone out from England with a large capital, who has increased his capital greatly

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greatly in the colony, and who has become the master of large herds and flocks, and a very considerable quantity of cultivated land, who, at an hour's notice, is deprived of all his convict labourers by government; and who is consequently either totally ruined, or at all events extremely damaged in his property; whereas in South Australia, according to the arrangements already made for that colony, all the purchase-money of the land is to be employed in conveying selected labourers to the colony; and every capitalist therefore may, in that colony, feel sure of having, not merely for a short period but continuously, a sufficient supply of labourers for carrying on large works of production which require the employment of many hands at one time, and in the same place, and for a long period together. That appears to me to be the great temptation to settlers in New South Wales and Van Diemen's Land to remove from those penal settlements, where the government exerts a thoroughly despotic influence over all economical arrangements, to a country where the government will have no influence upon the supply of labour, but where the stream of emigration will be kept up by the constant sale of waste land.

804. Mr. *Gladstone.*] In describing the case of the Swan River, you specified the great distance of the settlers from one another as one of the main causes, or at all events as one of the substantial causes, of the failure of that settlement. Do you not think that in order to prevent that extreme dispersion, it may be desirable, in some instances, to give to government the power of restricting the quantity of land to be sold?—If I could feel sure that the government would always use such a power with a view to the good of the colonists, and without any view to its own good; I do not mean in an improper sense; if I could believe that government could by possibility be as good a judge of what was beneficial for the settlers as they will be for themselves, I should say that such a power might properly be left with the government; but it appears to me that the settlers must necessarily know better than any government what is for their own advantage.

805. Do not you think that the case of Mr. Peel, which you mentioned yesterday, who was a person of station and property and capital, rather tends to prove that there ought to be some restrictive power, over and above the disposition of the settlers themselves?—Undoubtedly; but I am always supposing the restriction of a sufficient price per acre.

806. But without entering into the question how far the discretion of the government ought to be limited, or whether the discretion ought to be with the government, you would desire if possible to prevent the acquisition of very large portions of land by individuals, upon the principles which you have already stated?—Yes, I should; and I think that I should most effectually do so by the sufficient price per acre. No individual would buy land which he did not intend to use in some way; he would not choose to lay out of his money for a long time; and it appears to me that the restriction of price would always prevent an undue quantity being taken.

807. You think, then, that such a price might be put upon land as would effectually prevent individuals from seeking to obtain portions of it so large as to be detrimental to the general welfare of the colony?—I think so.

808. But with reference to the restriction of price, do not you think that there are reasons of police which might render it desirable to adopt a regulation of that kind; that settlers might be tempted to choose a very distant spot, far from all other inhabitants of the colony, near a watercourse, or from the mere fertility of the soil, and to which there might be objections on the score of general government and the order of police which might render it necessary that he should not be allowed to exercise his option?—That of course is a different question from the one which has been discussed by the Committee; and it is one upon which I have not reflected sufficiently to give an answer to it. It occurs to me to remark that, speaking economically, without any view to police, it might often be extremely desirable that the capitalist should remove to a great distance, provided that he carried with him, for employment on the distant spot, ample means of combinable labour. I would instance the case of flock-owners in New South Wales. There is no doubt that it is extremely beneficial to New South Wales and Van Diemen's Land that their flock-owners should be allowed to use land at a very great distance indeed; 200, 300, and 400 miles from the seat of government; for the purpose of feeding their flocks on the natural pastures; but it is desirable, because each of them is enabled to carry with him to this distant location a number of convicts who preserve his flocks, and enable him

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him to return produce to the seat of government, which is the centre of commerce. Therefore I can imagine that the restrictive power (though supposing that it were justified with a view to police, upon which I do not wish to give an opinion) might be used injuriously, in the economical sense, provided in that colony the price of land had been sufficient to secure ample means of combinable labour.

809. Then in stating, without exception, that there should be no restriction upon the choice of place, you do not take into consideration any modification arising from views as to police or government?—I excluded from my consideration any question of police or of government.

810. As you have framed your system with a view to the benefit of the colony itself, and not to the relief of the mother country, would not the system have a recommendation in this respect, that it would be likely to draw a class of settlers having more capital?—I am not sure that it would have that effect; nor do I know that it is desirable that it should. If the minimum or fixed price, put it either way, were sufficient for maintaining combinable labour in the colony, I believe that colonial capital would be created so rapidly that the colony would have no great object in obtaining capital from the mother country; that all it would want would be a constant stream of labour.

811. You think enough capital would be obtained upon your own principle for the advantage of the colony?—Yes.

812. Do you think that the system of auction would have a good operation in preventing jobbing?—On the contrary, I think that the system of auction opens a wide door for jobbing, and I will explain it in this way. If there be no auction, if every settler be entitled to any quantity of land that he may choose to obtain upon paying a certain price per acre, the plan may be described in these words: it would be "first come, first served;" every one who had fixed upon a place which he thought desirable, would compare it with the corresponding map of the surveyor, would fix his hand upon the spot, would pay his money, and would walk off with his title in his pocket; but if there were auction, there must necessarily be notice. Auction is of no use without notice. Auction without notice to call competitors together, is of course quite useless. Auction therefore assumes notice; it assumes a considerable period of delay between the time when the settler has chosen the spot that he would like to have, and the time when he is to take his chance of being able to obtain that spot. That intermediate period appears to me to furnish several means of what may be called jobbing, by which the officers of the land office might favour individuals. And it would be injurious in another sense, which is that of making the settler wait, with the money in his pocket, till the necessary period of notice had expired, before by possibility he could obtain his land. I would suppose a clear case of opportunity for jobbing: I would suppose a man who was a good judge of land, and who was known to be a good judge of land in the colony, to have been what is called "exploring," with a view to discover a favourable piece of ground, and that he returned to the town of the colony, intending to obtain that land if possible. Without auction, he would be quite sure to have the reward of his own superior intelligence and industry; he would go at once to the land office and obtain the land which he desired to have; but, on the contrary, if there were auction, it must necessarily be proclaimed that this man of superior knowledge with respect to land had set his heart upon a particular piece of ground. That must be made known, and then the officers of the land office, to whom it must necessarily be made known, would have an opportunity of saying to their friends, —"Here, this A. B., this good judge of land, has fixed upon a good spot out here; we knew nothing about it; but he has found it out; come and bid against him." That is one case in which the officers might have an opportunity of doing what is improper.

813. Mr. *Roebuck.*] Suppose the case of a joint stock company which was created for the purpose of buying land, and you had no means of competition with them, "but first come, first served," and that they, having very large capital at their disposal, should choose to buy a plot of land in the midst of other land, what should prevent that joint stock company, having large capital, and only paying this sufficient price, which is enough to obtain the objects which you have in view, from holding that plot of land till it rises very much in price, and thereby keeping back the advantage of the colony at large?—I can just suppose the case of a joint stock company adopting that process; but the plan of buying land by joint

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joint stock companies in large tracts, and selling it out in smaller portions, at an enhanced price, has been tried to such a very great extent, and with such great success in the United States, that I think the facts existing meet the objection. The motive for selling is stronger than the motive for retaining. As soon as a moderate profit can be obtained by an immediate sale of the lands, the company becomes willing to sell; its object always is to make a dividend, not to remain for a long time without making a dividend, because the shareholders would complain; and with a view to a dividend, the company seems always ready to sell as soon as possible, when it can acquire what it considers a sufficient profit.

814. You have supposed that the principle which you have stated, of a sufficient price, being recognised by Parliament, the determination of the sufficient price should rest upon certain responsible officers, and you said that one great object would be to have those officers acting with good motives: have you ever considered that portion of the subject which relates to the means of creating the requisite responsibility and creating those good motives of which you spoke in the parties acting who had to determine the price?—Yes.

815. Would you have any objection to state to the Committee the means which you deem expedient to that end?—Not at all; because it is a subject upon which any man may be presumed to have inquired with reference to other questions. I imagine that the best motives would be created if the salary were sufficient to render the retaining of his place an object of great interest to the commissioner, and if the publicity were such that he should be exposed to the loss of his place in case he did that which was wrong.

816. Have you ever gone one step further, and endeavoured to find out who the parties should be who should determine whether he was wrong or right; in other words, the party to whom he should be responsible?—I think he should be responsible to the supreme authority who had appointed him.

817. Where placed?—For this country, in Parliament; for Turkey, in the Grand Signor.

818. Then you would suppose that you would have a better machinery for the determination of all questions connected with the price of land, if you made the determining power to reside in this country and not in the colonies?—I am not at all sure of that. In considering the execution of such an Act as has been supposed by a central commission in England, I have no doubt that I have been very much influenced by other views, which have not come before the Committee at all; that is, the progress of emigration, the distribution of emigration from this country over the colonies in the manner best for them; the proper apportionment. That is a central work; that is a work which requires a central authority, because it requires a general knowledge in those who have the control over emigration; it requires a knowledge of the wants of all the colonies; and that probably has fixed in my mind the idea of a central commission, assisted by the means of a subordinate district commission in each colony.

819. Take the colony of New South Wales, Parliament is about to alter or renew the government of New South Wales. Supposing that Parliament should see fit, in its wisdom, to give to New South Wales a legislature of its own, do you suppose that the best judges of the mode of settling that country, and of the circumstances which should best promote the settlement of that country, are to be found in the legislature of that country, or in certain commissioners who should reside here?—I think most decidedly in certain commissioners who should reside here.

820. That is, for the interest of the colony itself?—For the interest of the colony itself, quite as much as of the mother country; and I would illustrate that opinion by reference to the proceedings of all the powers of individuals and sometimes bodies to whom was confided, under the North American charters, the disposal of waste lands in our thirteen colonies in North America. The power in that case was given to local legislatures; and I believe in every case, as has appeared to the Committee from the evidence of persons who have preceded me, it was, not abused in an improper sense, but so ill used as to create great disasters instead of great benefits.

821. Do you suppose that to have arisen from the ignorance of the persons empowered?—From ignorance, which existed up to 1829; because I consider that the five or six gentlemen who projected the foundation of the Swan River colony had, in point of fact, the power of settling the regulations under which land was disposed of in that colony. The power of disposing

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was really given to them. It was a little colony here. Mr. Peel was the head of the colony, though in England. The power was virtually granted to him and his associates to frame the regulations. They framed the worst possible regulations. The people who are now going out to South Australia constitute a colony. They are already separated from the old society. On Saturday last they published a newspaper of their own, which is the first of a series of newspapers to be published in the colony. They have been brought together; they have been induced to go out; a great many of them are labouring people, ignorant of all about colonies, a large majority of them. They are going out under a law which puts a high restrictive price, as some would call it, upon land; a price which the commissioners think no more than sufficient. I believe that if the colonists of South Australia were now called together, and it were to be put to the vote whether there should be this restriction, or whether land should be given away, a large majority would say, "Oh, given away by all means;" and the whole scheme would be defeated by leaving it to the colony to determine in what manner the land should be disposed of.

822. Do you not suppose that the two cases which you have brought forward in illustration rather depend upon the individual knowledge of certain parties than upon any fixed principle which you could lay down?—Of course. On the other hand, we can cite a case which upholds the plan of letting the colony decide. I consider the United States as nothing more than a colony of England. They are as much a colony as the Greek colonies were, which were never subject to their mother country. In viewing them in that light, it would appear to be quite absurd to propose that the power of declaring how their waste lands should be disposed of should be exercised here.

823. By what means would you get at the period at which the colony should have the power?—I believe there is a period in the existence of every important colony when the power of independence arrives; and that, let the mother country wish what it may, the colony will make laws of every sort and kind, and among others, laws relating to waste land.

824. Then you suppose, till that time arrives, the best place to determine this matter is the metropolis?—I think so, provided that great pains be taken to insure responsibility, and great in proportion to the distance. The difficulty is very great when you have to wait months before you can receive a letter in answer by return of post. The strongest motive for doing well ought to be created in the administrators of any law which was to take effect at a great distance from the place where the law was made.

825. And you think that all those difficulties are more than counterbalanced by the advantages to be derived from the centralization of the power in the metropolis?—I think that they are.

826. That is to say, always with regard to the advantage of the colony itself. You could find means for creating stronger motives acting upon the commissioners here than could be created upon persons acting under the immediate supervision of the legislature of the colony, and most interested in the proper administration of the power of colonization?—That would depend upon the degree of intelligence in the legislature of the colony, and the nature also of the legislature. The colony of Upper Canada, for instance, may possess intelligence sufficient to carry out a new principle of colonization; the colony of South Australia, the majority of the inhabitants of South Australia, I feel quite satisfied, at this moment, would be quite incapable of comprehending the objects of the plan under which that colony is founded; so that it appears to be a question of the state of mind in the colony, and the state of power.

827. But the Committee has supposed that Parliament had determined to confer upon the colony a domestic legislature: do you not suppose that there would be sufficient intelligence in that body, formed into a domestic legislature, to determine all the questions respecting colonization, if there were sufficient intelligence to determine all other matters respecting legislation in the colony?—It might be; but the examples which I have adduced would go to show that in the early stage of a colony there is not, in the majority, a sufficient degree of intelligence for the purposes of government. And I think that may be readily enough accounted for. In the earliest stage of a colony the population consists of persons who have been brought up in the old country; the majority of them necessarily of the labouring class, who never have had any motive for qualifying themselves to make laws; who perhaps do not know the meaning of the word legislation

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lation, or hardly know it, many of them; and in this state of the colony, it appears to me that the colony is equally unfit to make general laws as it is to make laws relating to the disposal of waste land. It appears in all our early colonies of America, that although the power of local self-government was universally given to the colony, it was not universally given to the labouring classes; it was sometimes given to individuals. Amongst them they certainly carried with them from England what may be called a portion of the supreme power; a sufficient portion for themselves; but that portion which they carried away with them often resided in a single person, as in the case of William Penn, who was an absolute despot; who was the sole legislator of the colony, with the power of life and death.

828. But the question supposed that the Government in the metropolis had determined that the colony had sufficient intelligence to have a domestic legislature; and is it your opinion, supposing you assume that the domestic legislature had sufficient intelligence for all the other proceedings of legislation, that you should be inclined to stop; to say that they had not sufficient intelligence for determining the question of colonization?—I should not draw that distinction, because if I assumed sufficient intelligence for general government, I should assume sufficient intelligence for the purpose of colonization; but then another question would arise, which is a very different one indeed; and that is, what it was over which the colonial legislature was to have control. It would be very well for the colonial legislature to say, "we have control over all the waste land; we can do as we please with it;" but there is another party to that question, namely, the people of the mother country.

829. Having determined that the domestic legislature have sufficient intelligence both for the general purposes of legislation and the particular purposes of colonization, do you not suppose that, taking the natural circumstances into view, they would be more likely to create a strong motive in any functionary's mind to act according to that intelligence than in the metropolis could be created?—I should say invariably, without any exception, that the nearer the functionary to the supreme authority the better.

830. Then, under those circumstances, do you not think that it necessarily follows in the first place, supposing the colony had a domestic legislature, that the proper place in which the power should be placed to whom the functionaries are responsible is the colony itself?—No; because there arises now a new question. For the particular benefit of the colony then existing, that may be the case; but it may be for the interest of that particular colony to dispose of the waste land in a manner very injurious to their successors, to their posterity, to persons who may yet be coming into that country from the mother country. I can easily suppose a case in which the colonial legislature, not deterred by motives of shame, should determine to put, no doubt, a restriction upon land, but should determine to put the proceeds of sale into their own pockets; that is, though they should be representatives under the control of the people of the colony. They would not be under the control at all of another class of people, greatly interested in their not taking this course, because that other class of people would not yet have reached the colony, but would be on its way thither.

831. Do you mean, when you say putting the money into their own pockets, as individuals, or as a legislature?—As individuals, and as a nation, they might do precisely that which the colonial governments have hitherto done. The authority has existed in Canada, yet what has it always done? It has always jobbed the lands for its own advantage; it has always acted contrary to the interests of those who were coming out; to the interests both of the mother country and of the colony.

832. Has not the power invariably existed in those colonies which you have last mentioned, in persons who have been sent out to those colonies, and who were responsible to this country?—I believe it has.

833. Does not that rather militate against your view of the case?—No; because the sole power is not resident with the governor; the council has had a voice as well as the governor.

834. The council being solely responsible to the power of England?—That I disbelieve; the sole responsibility. I think there is a great responsibility to opinion; a very considerable responsibility imposed on the council in such a colony as Canada.

835. They are under no legal responsibility to any body but England?—Not that I am aware of.

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836. And men care chiefly about that opinion in which they dwell; the opinion which they dread is the opinion of their fellows, not the opinion of persons extraneous to them; and the parties who would be likely to influence those persons would be those immediately around them; and the very persons to whom you have now alluded are an exclusive society, responsible only to England, and caring for no opinion but their own?—I do not think they are careless of every opinion but their own. I think they are subject to a very considerable influence from the colony; because, whatever they have done for the colony, they have done for a long while: the complaints are quite recent.

837. Then do you not suppose that under the hypotheses that you have been assuming, that the influence of the people amongst whom they live would be rather beneficial than otherwise?—Yes, I conceive that it would.

838. Then why should you not subject them entirely to that responsibility?—Because I now come back to the other question; and I say that the interest and responsibility would be different; for the question which is put implies that they should have a power over that in which other people had an interest; that is, the people of the mother country.

839. Then supposing that you lay down in a recent colony certain limits of its dominion, as in the case of the South Australian Colony, and that these limits be not extravagantly extensive, do you not suppose that then the interests of the colonists themselves would be very much coincident with the extent of their dominion?—That depends entirely upon what is meant by extravagant; it is a very vague term.

840. Take the case of the South Australian colony?—As far as I know any thing, (and I know a great deal of the South Australian colony) I should say that the limits were extravagantly large; but that they were made so with a particular object, that of preventing the adoption of a bad system in the neighbourhood of a good one, and not upon any other principle which should guide the government in fixing the limits of a colony.

841. *Chairman.*] One of your principal reasons for conceiving that there must be a controlling power in the metropolis is, the propriety, for the interests, both of the colony and of the mother country, of combining the system of colonization with the system of emigration, to which we have not yet adverted?—No doubt that the Committee have not yet considered that subject. I have not yet alluded to colonization as a means of emigration.

842. Emigration from the mother country, in the first instance for the advantage of the mother country, and afterwards for the advantage of the colony?—For the equal advantage of both.

843. Mr. *Childers.*] Take the colony of South Australia and the colony of Van Diemen's Land; the price in the one instance is 20 *s.* and in the other 5 *s.*; in which colony do you think the wages of labour will be highest?—Using the terms a pound and 12 *s.* merely for illustration, that is, without expressing any opinion as to what the price ought to be, I might answer the question; but otherwise I could not do so without giving an opinion, which I have endeavoured to avoid giving, as to the proper price of land.

844. Then take an ideal sum, and that the price in one colony was higher than in another, in which of the two colonies do you think that the wages of labour would be higher?—I believe the wages of labour would be higher in the colony in which the price of land was higher, provided that, in that colony, the price of land were not more than sufficient. Beyond a sufficient price, every farthing of price would tend to lower wages; below a sufficient price, every diminution would also tend to lower wages.

845. But in that case how do you imagine that capital will be able to make a profitable return, the person buying his land dear, and he also finding his labour dear too?—I believe that he will make a more profitable return than he does now, because he will obtain combinable labour and a greater produce in proportion to the number of hands employed. With a greater produce than ever, he will be able to pay higher wages, and yet retain higher profits for himself.

846. Mr. *Roebuck.*] When you say higher wages, do you mean that the labourer should receive a larger portion of produce, or that he should get in fact a larger sum?—I would always use the term higher wages as meaning more of good things, and without reference to the proportion of receipts between the labourer and the capitalist.

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847. Mr. *Childers.*] In other words, he would obtain a greater surplus of wages over his necessities?—He would have better means of saving.

848. This view must be called entirely theoretical: you have not given an example of any colony in which you can say that any approach to your system has been adopted entirely, and where at the same time the price of labour and the profits of capital are high?—Yes; I see an approach to it in the system of the United States; in the contrast between the two sides of the St. Lawrence, which I described to the Committee some time ago. It is an inadequate carrying out of the principle; because I believe that the results of strictly carrying out the principle would be such as to surprise everybody; but there is an approach to it in the contrast between the modern settlements of America and the earlier settlements there.

849. Mr. *Scrope.*] If the price charged by the United States were lower in your opinion than the sufficient price, and the raising the price above a sufficient price would tend to raise the wages of labour, how do you reconcile that opinion with the one you formerly gave, that it is the low price of land in the United States that makes slave labour so valuable at present?—The opinions appear to me to be quite consistent; I see no inconsistency in them.

850. The high value of slave labour is of course only compatible with the high price of free labour?—It is most of all compatible with no free labour at all: it arises from the difficulty of obtaining free labour "at any price," for that is the very expression that I employed just now, quoting from a speech of the Honourable Member.

851. In the United States there is both free and slave labour: the result of raising the price of free labour would be to increase the value of slave labour, would it not?—I am not sure that it would. Slave labour is required for particular purposes, and employed at certain periods, and is valuable in proportion to the produce which it affords; and I do not see that the produce of slave labour would be more or less in consequence of a rise in the wages of free labour.

852. Mr. *Childers.*] You said if you found that the wages were low, you would raise the price of land; if the wages were high, you would lower the price of land?—No, I said just the reverse; for if the wages of labour were low, I would lower the price of land, in order to render the facility of obtaining land greater. The wages of labour would be low in consequence of excessive restriction; in consequence of such a restriction as obtains in this country and in Ireland, which causes great competition among the labourers. Then I would relieve the labourer from that by increasing the field of employment, and by more readily opening the land to occupation.

853. *Chairman.*] You conceive that too high a price upon land would be injurious, inasmuch as it would prevent the labourer from obtaining employment?—Yes.

854. Mr *Baring.*] Your principle is fixing a certain price upon land. You were asked whether labour would be dearer in a part of the colony where the land was double in price to the land in other parts. The higher price of land would make labour cheaper, because supposing hypothetically that land were worth 1 *l.* an acre instead of being worth 10 *s.* an acre, that would diminish the facility to the labourer to acquire land; that would force him to labour for a certain period, whether that period be three months, or six months, or nine months, before he gets money enough to pay for his land; and consequently there must be more labour upon the market; is that the case? Do I express myself so as to be understood?—I perfectly understand the question. I have said that wages might be higher in a colony where there was a sufficient price for land than in one where there was not, and I will exemplify the doctrine by an actual case, that of the two sides of the St. Lawrence. Time was when wages were much higher on the United States side than on the Canadian side. In fact, on the Canadian side, for a great proportion of the people, there were no wages. The rate of wages depends upon two circumstances, upon the quantity of capital in the market and the quantity of labour. Now, without a price, and with no restriction at all, labour being cut up into a great many fractions becomes so weak, that there is no capital to create any demand for labour. We hear a great deal of the great want of labour in the colonies, and have heard of it a great deal in the Swan River; but if you were to send 5,000 labourers to the Swan River to-morrow, without capital, they would be starved. That is a

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case, according to my view, where the want of restriction has knocked down wages to the minimum. On the other hand, once pass the sufficient price, and then every increase of price will lower wages; but up to that sufficient price, which was called yesterday the "golden mean," a rise in the price of land tends to raise wages.

855. Mr. *Pusey.*] You propose to give to the settlers in the colony an unlimited power to select any quantity of land that may appear eligible; but should you not think it necessary to give a certain power of control to the commissioners over that selection, in order to prevent an individual selecting a small lot of land which might interfere with the occupation by a larger colonist of a considerable tract of land?—In my humble opinion, it would be improper to allow commissioners to judge in cases where individuals are supposed to be the best judges of their own interests; and therefore I should not be inclined to let the commissioners determine in any case what pieces of land, as to quantity or situation, should be appropriated to this or that individual.

856. But it might be for the advantage of an individual to obtain a few acres of land; but it might be to the disadvantage of the colony, by the occupation of a watercourse, or a right of way, or a spot of land which would interfere with large sheep pastures, and be injurious to the occupation of land?—Yes; but I think that the general result of allowing individuals to judge for themselves, would be more for the public good than if any authority were allowed to judge for them; that looking at the results of the two plans, the best result would arise from allowing individuals to judge for themselves.

Lunæ, 27° die Junii, 1836.

MEMBERS PRESENT.

Mr. Ward.	Mr. Hutt.
Sir George Grey.	Mr. Roebuck.
The O'Conor Don.	Mr. Poulett Scrope.
Mr. Childers.	Mr. Scott.
Mr. William Gladstone.	Mr. Pusey.
Mr. Francis Baring.	Mr. Chalmers.

MR. WARD, IN THE CHAIR.

Edward Gibbon Wakefield, Esq., called in; and further Examined.

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857. *Chairman.*] DO you contemplate using the purchase-money of waste land as a fund for the emigration of labourers?—I do, but not at all of necessity. It appears to me to be desirable to obtain a fund with a view to colonial objects, and without reference to emigration at all. Having obtained the fund, a new question arises, as to how it may be used. But the necessity of doing that which will produce a fund, appears to me to be plain, for all the reasons which I have stated on other occasions.

858. Do you think that a fixed price for all land would be an advantage to the colony, even though the purchase-money should not be applied as an emigration fund?—Yes, I think so: I think that if the United States were compelled to throw their land fund into the sea, they would still do well to impose a price upon waste land. I think that a price for new land is highly beneficial to them, on grounds which differ altogether from the question of emigration.

859. Supposing the purchase-money of land to be employed as an emigration fund, would it not be proper to require a higher price per acre, than if it were otherwise employed?—No, I think a lower price per acre should be required.

860. Why?—The object of a price is a given proportion between land and people. By employing the results of the price in taking people to the colony, you would alter the proportion. The price that would be good without emigration, would be bad with emigration; because, under the two different circumstances, there would be different proportions of land to people. With more people, the price ought to be less; with less people, the price ought to be more; so as always to preserve the same proportion.

861. You do not think, then, that the purchaser of land might be required fairly to pay more, if the purchase-money were returned to him in the shape of labour; for that is a common idea?—I know that that is a common idea, and I once held it myself, but I now entirely dissent from it.

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862. For the two reasons which you have stated in the early part of your evidence of Friday last?—Chiefly for the reason which I have just now stated; with a view to maintaining always the same proportion between land and people. The object of requiring a price is combinable labour in the colony; combinable labour arising from there being a certain number of people in proportion to land. If the money obtained by the sale of land were employed as an emigration fund, the proportion would be altered, the proportion of people would be increased; therefore, I say, if you employ the land fund as an emigration fund, the price ought to be less, in order to maintain the same proportion of people to land. Consequently the buyer of land, instead of paying more because his money was employed as an emigration fund, ought, I think, to pay less.

863. It has been objected to this plan that, by requiring a price for all new land, colonial wages and profits might be reduced, so as to render the colony unattractive to labourers and capitalists; what do you say to this objection?—I have heard that objection repeated over and over again to the Committee, by the Honourable Member for Stroud, in questions which he has put to me; and I should give the same answer now which I gave upon all those occasions, namely, that if the price were excessive, all sorts of evil would occur, but that if it were sufficient, and not more than sufficient, the colony would be attractive instead of repulsive.

864. You consider then, that a sufficient price, but not more than a sufficient price, would tend to make the profits of capital and the wages of labour as high as possible?—So I think; that the sufficient price would tend to make the produce of industry as great as possible; that it would tend to the greatest possible produce to be divided between capitalists and labourers; in other words, to the highest profits and wages.

865. You think that a sufficient price per acre would increase the demand for labour in the colonies?—I think, in any colony where the price had been insufficient, the demand for labour would be greatly increased by raising the price up to the proper point.

866. Mr. *Poulett Scrope.*] Your definition of a sufficient price is such a price, is it not, as will keep up the wages of labour to the remunerating point, and the profits of capital; therefore it is an identical proposition which you are stating now, when you say that the sufficient price will do that?—I have never used the expression of a price keeping up wages to a remunerating point.

867. To what you would consider a remunerating point?—I do not know what that is.

868. Your definition of a sufficient price, is such a price as will keep the wages of labour and the profits of capital sufficiently high?—At the maximum is the expression which I should use; as high as possible.

869. *Chairman.*] That is what you always contemplate when you talk of increasing the demand for capital and for labour?—I have throughout my examination used the terms the highest profits and the highest wages; that is the maximum of profits and of wages.

870. Mr. *Poulett Scrope.*] You look to no other proof of your having obtained a sufficient price than having raised the wages of labour and the profits of capital to the maximum?—No other. I propose a particular object; that object is the maximum of profits and of wages: I propose a particular means; the means is a price upon land, a sufficient price to produce the maximum of profits and wages. Having attained the object, I take it for granted that the means have been employed; because I can see no other means by which the end can be brought about; and I want no other proof than that of having attained my object, the only object I have.

871. Therefore the measure of the means you employ for that object is the price of profits and of wages; how do you ascertain when you have attained the maximum of profits and of wages?—The answer to that question requires a good deal of reflection, and a full answer would require a good deal of explanation; but I should be quite satisfied that I had attained what was the maximum, if I had attained a higher rate of profits and of wages than had ever existed before in any other colony, or even if the rate of profits and wages were higher in that colony than they had ever been before.

872. Then you do not think it necessary to continue raising the price of land until the rate of wages and profits begins to fall, in order that you may know that you are not over-doing it; but even in the country where profits and wages are continuing to rise, you consider that you may have attained a sufficient price?—

No,

No, I think that there is a contradiction in the terms of the question; according to my view of the subject, I think that profits and wages could not rise if the price were insufficient.

873. How do you ascertain when you have reached the proper price?—By having attained the maximum of profits and wages.

874. That is, by having raised the profits and wages so high that they might fall again?—That is not my view of it. My test of a maximum of profits and wages is not their beginning to fall. It would be a test, no doubt; if they began to fall, you would say then they had arrived at their crisis; but I am not looking to any fall.

875. *Chairman.*] You appear to consider the revenue which is to arise from the sale of waste land as a mere incident, arising out of the plan of selling, but not as the first object to be sought by that plan?—As a mere incident; I had almost used the word accident, as something which you have not in view at all, which has occurred without any forethought on your part towards that object; and I would give the United States as an example. They possess at this moment a very large land fund; it will amount, during the present year, according to an estimate formed by persons very well acquainted with the subject, and according to the actual sales for the first quarter of this year, to 4,000,000 *l.* sterling. They have had no view to immigration in procuring that large fund by means of putting a price upon waste land. The fund has arisen without any view to its being employed for the purpose of immigration. If in any colony that price were imposed upon waste land, which I consider sufficient, the fund would, I believe, in proportion to population, be very much greater than that of the United States. Accidentally, it may be said, a fund would be in the hands of Government, which might be applied to any purpose, but which would be very useful if applied to the purpose of immigration to the colony.

876. Mr. *Roebuck.*] You are aware that the fund in the United States, which has arisen from the sale of land, has not arisen in consequence of any notion of theirs of the necessity of having what you call a sufficient price, or from the purposes for which that sufficient price, in your mind, ought to exist?—I am quite aware of that, having stated it repeatedly to the Committee.

877. But you are also aware that the fund has arisen because it has been used as a means of taxation; that they have raised the fund for the purposes of meeting the expenses of government?—The fixing of a price for all land sold, whatever the object may have been (and there is not much evidence of any definite object in the case of the United States), but the fixing of a price upon all waste land, whatever the object may be, at once produces a fund with which you may do what you please.

878. *Chairman.*] Looking upon the revenue arising from the sale of lands as an incident, what do you think would be the effect of employing this revenue as an immigration fund?—The effect, as it appears to me, would be to give the greatest possible progress to that good sort of colonization of which the price had been a deliberate object. With a sufficient price the land will be colonized as well as possible: employing the purchase-money as an immigration fund, the land will be colonized as fast as possible. The sort of colonization would be the same, but the degree would be infinitely greater if the whole purchase-money of the land were employed in conveying population to the colony. The effect, then, of employing the land fund as an immigration fund would be to multiply the rate at which colonization should proceed (I cannot say by what number) without at all altering the character of colonization.

879. You do not conceive that one moiety of the proceeds of the land sales might be devoted to immigration, and the other part to the general purposes of government?—That might be done, no doubt; and the effect would be that colonization would proceed but half as rapidly, or rather that the rapidity to be gained by employing the whole land fund as an immigration fund would be lost if half of it were otherwise employed; but there appear to me to be several objections to employing any portion of the land fund otherwise than as an immigration fund. The sufficient price would depend upon the proportion of the land fund which should be employed as an immigration fund. If the whole of the land fund were employed as an immigration fund, the proper price of land would be so much; if only half of it were so employed, then the proper price would be a different one; that is, it would be a higher one. The taking away a portion of the land fund, and using it for any other purpose than that of immi-

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gration, would necessitate a higher price upon land; so that I do not think that the colonists would gain anything at all. On the contrary, I think that they would lose by employing any part of the land fund otherwise than as an immigration fund.

880. You alluded, in your examination of Thursday, to the case of the Swan River, as affording a striking illustration of the bad effects of the system which has been pursued hitherto in the disposal of waste lands; have you any other facts of recent date which you wish to communicate to the Committee?—Yes; since my former examination I have met with a curious illustration of what I believe to be the benefits of having a price upon land; and, where the price is not sufficient, of having slavery: also of the evils that arise from having neither price nor slaves. It is contained in a recent number of a Van Diemen's Land newspaper, called "The Cornwall Chronicle," dated 9th of January of the present year. This newspaper is published in a colony where there is a price upon land, and where there is labour combinable through the convict system. It contains the following statement: "Swan River.—The accounts received by the present opportunity from Swan River are far from encouraging. Though the newspaper gives a favourable report of the new country which has been explored by the governor in person, private accounts give a lamentable picture of the individual distress endured by many respectable worthy families; the state of utter destitution which some are described as being reduced to is indeed heart-rending, and sufficient to excite our warmest sympathies. Families, accustomed from their infancy to the usual comforts of affluence and civilization, are driven to have recourse to the most arduous and precarious means to obtain a subsistence; and even young ladies, clothed in the worn-out remains of their English attire, imitate the natives in their modes of catching fish to preserve life. Touched by this distressing scene, to which, though comparatively distant, we may be said to be the nearest neighbours, several families both in town and country, who have been made acquainted with the circumstances, have contributed what portion of clothing or other little comforts or necessaries their means will enable them, to assuage, in some degree, the deprivation of their condition. No community under the sun, we hesitate not to say it, is better or more charitably disposed, more alive to the sympathies of our nature, than the people of this colony; and we are sensible that we need only to mention the fact, that distress prevails in Swan River, to procure immediate relief from Van Diemen's Land." And then the article goes on to propose a subscription, which the editor of the paper says he has no doubt will be raised for the purpose of relieving the people of Swan River. Here you have the people of a paltry little town, which has convict labour, and where land is not to be obtained except upon payment, raising a fund, and sending out a small vessel, to relieve the people of a country where land is to be obtained for nothing, or next to nothing.

881. You would not be inclined to leave a discretionary power to any person whatsoever, as to the employment of the land fund; as to whether it should be employed as an immigration fund or not; the whole of the land revenue?—I should not: I should think it for the greatest advantage of the colony, and certainly of the mother country, that the whole of the land fund, without any exception whatever, should be employed as an immigration fund; and I should not leave a discretionary power with any one; because, even where no discretionary power legally exists, attempts have been made to divert the land fund from the purpose to which it was devoted, namely, that of immigration. In the case of the South Australian colony, the Act of Parliament declares that the whole of the land fund, without any exception whatsoever (those are the words), shall be employed as an immigration fund. Here is an Act of Parliament leaving no discretion to any one. The South Australian commissioners, who have sold so much land as has placed in their hands an ample immigration fund for the purposes of that colony, lately, as I am informed, received an application from His Majesty's principal Secretary of State for the Colonies, suggesting to them the expediency of bringing a Bill into Parliament, for the purpose of enabling the Lords of the Treasury to lay hold of this their immigration fund. The proposal went to defeat the object with which all the trouble they have taken has been endured by them. It was proposed to employ the immigration fund for what, I believe, are called in the despatch, the general purposes of Government; that is, to take it out of the hands of the commissioners, and to place it in the hands of the Lords of the Treasury; to defeat altogether the principle upon which

which the colony is founded; namely, the sale of all waste land for the purpose of obtaining an ample immigration fund. Then if with an Act of Parliament there be difficulty in maintaining a system, I would at least, for any system, take care to have the security of an Act of Parliament: I would never leave a discretionary power, except where it appeared to be necessary; and the employment of the whole of the land fund, as an immigration fund, appears to me to be so important, as to require as strict a security as any other part of the plan.

882. Mr. *Gladstone.*] Do you understand that that application, which you have just mentioned, from the Colonial Secretary, contemplated a change in the appropriation of the fund, as well as in the parties who were to have the distribution of it?—Yes; I understand that in the despatch the commissioners were told that it would be much better to employ this immigration fund for some other purpose, and much better to place it in the hands of the Lords of the Treasury, in order that they might employ it for the general purposes of government; that is, in paying salaries.

883. Do you mean by the general purposes of government, the general purposes of colonial government, or of the Imperial government?—The general purposes of the government of that colony.

884. *Chairman.*] Then you conceive that the proportion of the land revenue, which is employed as an immigration fund, ought to be just as much fixed by Act of Parliament as the price per acre?—If the whole were so employed, then that ought to be fixed; if only a part were so employed, then the proportion ought to be fixed; because, as I said before, the price of land would depend upon the proportion of the land fund which was used as an immigration fund. If a discretionary power were left as to the proportion of the land fund, which should be employed as an immigration fund, a discretionary power would, in fact, be left as to the price of land; and, what is worse, it would be a power which those who held it might not themselves perceive. At all events, with every variation which they might make in the proportion of the land fund to be employed as an immigration fund, they would, in fact, alter the price of land.

885. And you think that it would be the best, along with a fixed price per acre, to be fixed by Act of Parliament, for all new land without any exception; and, at the same time, that the whole proceeds of the land sale, without exception, should be employed as an immigration fund?—Unquestionably, if the object were the most rapid progress of the best sort of colonization.

886. Do not you conceive that there are any circumstances which should justify exceptional grants of land without a price, or the employment of a part of the land revenue for purposes of local improvements, such as the foundation of schools and colleges, or the reward of public services?—I think not, and for the very same reasons which induced me to object to any exceptional grants of land. Under a system where the general rule was payment of a fixed price per acre for all land, I should object very much to exceptional grants, on account of the evil effects which would ensue through the counteraction of the principle under which a price had been fixed, and also on account of the injustice that would ensue. Besides counteracting the objects of a fixed price, you would make some pay, and you would give to others; so, in the case supposed, you would make the buyers of land in the colony, and those only, pay for the improvements or the other objects to which the land fund might be devoted. You would tax the buyers of land for the benefit of all, and the buyers of land in particular.

887. Mr. *Gladstone.*] But would you object, without adverting to the case of exceptional grants, to introducing in the general rule a power of applying a certain portion, or even an imperative obligation to apply a certain portion of this fund for such purposes of local improvement as roads and bridges, facilitating communication, and other matters, the benefit of which would be reaped by the buyers of land themselves?—If the proportion were absolutely fixed, and if the price had been calculated upon the knowledge of that fixed proportion as to the way in which that fund should be employed, then my only objection to a diversion of that part of the land fund from the purpose of emigration would be, that it would be a roundabout method, and not the best method of raising a revenue. My belief is, that if the whole of the land fund were employed as an immigration fund, the production of the colony would be so much greater; that the revenue would be raised by ordinary taxation, with a less burthen upon the

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colony, than if a portion of the land fund were diverted from the purpose of conveying to the colony the utmost possible means of wealth and prosperity.

888. *Chairman.*] And you would wish to give to the disposal of the proceeds of the land sales the same uniformity, and the same permanency, that you think indispensable for a good system in the disposal of the land itself?—That that ought to be the case, has become with me a firm opinion.

889. Do you mean by saying it has come to be a firm opinion, that it is an opinion which you did not entertain at one time?—I mean to say that seven years ago, I was as ignorant upon this subject as one of those chairs, and that I have acquired my opinions by degrees.

890. Mr. *Poulett Scrope.*] Might not this case arise; that you might, in the course of years, obtain so large a fund from the proceeds of the sales of land, that you could not find a sufficient number of emigrants from civilised countries to carry out. For instance, the United States is expected to raise 4,000,000 *l.* sterling from the sale of land this year; supposing this colony to realize at the rate of 4,000,000 *l.* per annum, from the price of their lands, is it not possible, that having tied yourself down to apply the whole of that sum in landing emigrant labour, you would either be obliged to bid very high for it, or have a surplus that you would not know how to dispose of, from not having emigrants to go?—In such an event, it would be easy for Parliament, which had determined the appliction of the land fund, to alter the application of it. A case very like it has actually occurred. Supposing that the object of the United States in putting a price upon land was to raise a revenue, they have just now arrived at the moment when they do not know what to do with their money; they are so embarrassed by the amount of their revenue, that a Bill is now before Congress for the purpose of apportioning amongst the several States this great land fund of 4,000,000 *l.* per annum, which they scarcely know what to do with. If such a case were to arise, if our land fund were to reach 4,000,000 *l.* or 40,000,000 *l.*, or any sum which should be too great for the number of persons in the world desiring to emigrate from the country in which they were not well off, to a country in which they would be very well off, then it would be natural, and very easy, that Parliament should interfere and dispose of a portion of the fund in some other way. But I am afraid that such an event is a long way off.

891. *Chairman.*] Supposing the whole of the land revenue of all our colonies to be converted by Act of Parliament into a fund for promoting of the emigration of labourers from the mother country, how would you allot the amount of that emigration amongst the several colonies?—That is a very important consideration; and it appears to me plainly, that each colony would be entitled to that amount of emigration which the fund received in that colony, the money paid for land in that colony, would enable it to receive. In other words, that whatever was the land fund in any colony, should be strictly employed in conveying emigrants to that colony and to no other. I believe that some arrangements of detail would be required which have never yet been thought of at all; I mean arrangements for localizing the supply. One can suppose the case in New South Wales, of land being purchased now at a place called Port Philip, on the south coast, within the legal territory of New South Wales, but many hundreds of miles away from any settled part of the colony. It would be extremely unfair to the purchasers of land in that spot, if the whole of their purchase-money were to be employed in conveying labourers to Sydney, which is at a distance of some hundred miles from them. As respects them, you might as well not employ the purchase-money of land as an immigration fund. The result, as respects them, would be the same as if you employed it in any other way. From that example, and a great many more can be supposed, it appears that arrangements of detail would be required in order to localize the supply of emigrant labour, so that the emigrants should be sent as nearly as possible to each district, in proportion to the land sold in that district; but at all events, the whole land fund of any colony ought clearly to be employed in conveying emigrants to that colony and to no other.

892. Mr. *Poulett Scrope.*] Would you have it specifically laid down in the Act of Parliament that the proceeds of the land fund should be employed in carrying emigrants to that part, and that alone?—Yes, I would have that clearly recognized.

893. Might not this case arise, that offers being made to conduct labourers to a variety of colonies, you might have a sum of money to lay out in the Cape of Good

Good Hope for labour, and not find labourers willing to go there, they wishing to choose a more favourable spot, and in that case could you not be bound to lay out, say 100,000*l.* in the emigration of labourers to the Cape, which you would not get?—That is supposing for the Cape of Good Hope a case that the Honourable Member supposed generally just now; it is supposing that the colony possesses an emigration fund exceeding its means of expenditure on emigration. Of course 100,000*l.* might (I do not think it would, but it might) be more than the Cape of Good Hope could lay out on emigration. But the amount of surplus fund is of no consequence, whether it were 100*l.* or 10,000,000*l.*; in either case Parliament would interpose, and enable the company to dispose of its surplus in some other way.

894. Mr. *Roebuck.*] Would not the fact of their having this large emigration fund, be a proof that the colony was attractive, in your sense of the term, and thereby you might conclude that a great number of persons would be willing to go there?—I cannot imagine for a moment the case put by the Honourable Member for Stroud. I am only giving an answer to his question, supposing the case which he puts; I do not believe that the case would ever occur. If the colony were so attractive as to produce a large emigration fund, if so much land were sold there as to produce an emigration fund, that would be a colony to which labourers would be willing to go.

895. Mr. *Poulett Scrope.*] Might it not be attractive to capitalists, without being equally attractive to labourers?—I think not.

896. Are not the West India Islands in that predicament?—Not to capitalists, purchasers of land. Land is of very little value in the West Indies.

897. Might it not be sufficient, in your estimation, to determine by Act of Parliament that the produce of the sale of land should be in the first instance applied to the importation of labour, but that the governing power should reside with commissioners to dispose of the surplus?—I think not, for the reasons that I have stated before.

898. *Chairman.*] Have you considered the effect of a selection of emigrants, as to sex and age, upon the proportion that would take place between land and population in the colony, and upon the consequent progress of colonization?—I have considered what would be the effect of selection, having for object the greatest possible amount of emigration by means of any given sum; but I do not feel competent to give a very explicit answer on that point. I once made a calculation by which it appeared to me that if all the convicts who had been sent to New South Wales, had been young persons in an equal proportion of the sexes, just arrived at the age of maturity, the population of New South Wales would have been 500,000, instead of what it actually was when I made the calculation, namely, 50,000. It appeared to me that the selection of emigrants would enable you in the course of a certain number of years (about 48 years, I think, was the term of my calculation), to place in the colony ten times as many people with any given sum, as you could place there without any selection at all; or rather, perhaps, in that case I ought to say, with a bad selection; for in New South Wales the worst possible selection was made; a large proportion of males and women principally past the time of child-bearing, and when not so aged, yet in a situation where the great excess of males put marriage altogether out of the question, or child-bearing out of the question. That was the worst possible selection; but the difference between the best and the worst appeared to me to be as ten to one. It must strike every one that there is a selection of emigrants which would give a much greater power to the emigration fund, than if no selection at all were made; that there is a selection as to the age and sex, which would enable you, with any given emigration fund, to remove to the colonies a much larger number of people than if no selection were made; that, in short, there is a selection by which with the minimum of expenditure, the maximum of colonial population would be obtained. This is a question on which I do not pretend at all to be sufficiently informed to offer any precise opinion; and, if I might be allowed to offer a suggestion to the Committee, I should say, that the persons of whom they ought to make inquiry on this subject, are gentlemen whose profession it is to make calculations relating to the rate of mortality, the increase of population, and various questions connected with population, such as some of the more intelligent actuaries of the insurance offices.

899. Mr. *Roebuck.*] Do not you think that there is a slight inadvertence of

 expression;

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expression; "you would be able to carry out a larger number of persons;" do you not mean that you would carry out means of increasing the future population to a greater degree?—I ought to have used the expression "establish in the colony;" for the object is to establish the largest number in the colony, by means of the removal of the smallest number.

900. *Chairman.*] You conceive that it is by selection of emigrants that the power of the immigration fund would be at its maximum?—Yes, I do.

901. And that in proportion as the population of the colony was increased, the population of the mother country might be diminished, by this proper selection; the future population, at all events?—Yes, the future population of the mother country, just as it would be the future population of the colony. Of course, whatever carried to the colony the greatest means of increase, would also remove from the mother country the greatest means of increase; and whatever the benefit obtained by the mother country or the colony, the maximum of benefit would be obtained by the employment of any given sum with the best selection.

902. You would wish to have a selection of young couples for emigration?—It seems quite clear that the class of persons to be selected, would be an equal proportion of the sexes, who have just arrived at the age of maturity.

903. Are there any other advantages, in addition to those you have stated, which would result from giving a passage to young couples?—Very great ones, as it appears to me. By removing the selected class, not only would you remove the greatest seeds of increase in the smallest number of people, but you would remove the greatest quantity of labour (using the term labour to express saleable muscular exertion) at the least cost. If there were a pressure upon the labour market at home, by removing that class which was then commencing to work, and which had before it a long period of health, and strength for labour, you would give the greatest relief to the labour market with the least expenditure; and in the next place, your object in the colony being the greatest possible labour at the least expense, by bringing to the colony a young man who had just arrived at his strength, but who had the prospect of a long life, you would give to the colony the greatest benefit at the least expenditure. Thirdly, there is in all emigration the same sort of evil as there is in storms and floods. Emigration *per se* is an evil: it is a great evil to remove from the country of one's birth and one's affections. Now, by the proposed selection, since the greatest amount of emigration would really take place with the removal of the least number of people, you would obtain the maximum of good to be obtained by emigration with the minimum of evil, whatever the evil may be. In the fourth place, there are great objections to the removal of any but young people; I will not say any, but the narrow class to which I have adverted. Children suffer immensely in being removed; they suffer on board ship, they suffer from the confinement, and when they arrive in the colony, they are either neglected or are a great incumbrance. Old people suffer much more from being removed from the scenes to which they are attached, and they are also less able to bear the fatigues which necessarily attend upon a long voyage. Lastly, almost every young couple no sooner marry than, in this country or wherever they may be, they look out for a new home. At the moment when they contemplate marriage, or at least when they are about to marry, they may be said to be already on the move. You would catch them moving: you do not tear them from a place where they were fixed, but you would enable them to move to that place where their labour would be of the greatest possible value to them. By that selection, therefore, it appears to me that you would reduce the evil of emigration, whatever it may be, not only to the minimum, but positively to a very small amount indeed.

904. Mr. *Roebuck.*] Allowing the force of all the statements you have made with respect to the effect of the removal of those couples, as respects the colonies, and as respects themselves, the Committee wish to call your attention to the statement you made of the effect of this removal upon the labour market at home; you stated that you removed from the labour market at home the largest quantity of muscular power; by that means do you not do the labour market a mischief, inasmuch as the number of persons to bid against the capital is to a certain degree diminished? and of the persons who originally bid against the capital, you have taken the best, and therefore, as far as the labour market at home is concerned, you have not done a benefit to that, in proportion to that done to the colony,

colony, because you have taken away the persons least expensive and most productive, and left the persons who are most expensive and least productive?—I think the pressure supposed to be on the labour market arises from the excess of what may be called muscular exertion for sale.

905. The excess of the number of persons bidding?—The numbers are not of any consequence. One man, who had the power of six men, would be able to obtain the wages of six men; a young man, in the prime of his strength, is able to obtain higher wages than an older man or a boy; he presses much more upon the labour market by his strength.

906. Suppose, instead of the number in the labour market being the same, you diminish it by one-half, but give the half which remains the same power of production that the whole number had before, would you suppose that there would be the same pressure upon capital that there was before, when the persons to bid against each other for employment of capital would be half the number that they were before. What would be the consequence of that supposition upon the wages of labour?—The consequence of that supposition would be that the labourers, not competing with each other, or competing with each other to the amount of only half, we shall suppose, would obtain very much higher wages, double wages.

907. Does not the calculation fully prove that it is not the muscular power that is the matter alone to be considered, because here the muscular power is the same, but the muscular power and the number of labourers bidding one against the other are different?—I have not reflected enough upon the supposititious case which has been just put to me, and of course it is not very easy upon such questions to answer off-hand, therefore I will return to the actual case. In the actual case, it appears to me that the quantity of labour, treating labour as an abstraction, would be diminished in the greatest degree by the removal of persons who had just arrived at their greatest strength, and who had before them the longest period of labour power.

908. Therefore you conclude that if you in one individual remove the greatest power of labour, you, in precisely the same proportion, do benefit to the labour market by relieving it of injurious pressure?—Yes, I think so.

909. Although you may leave behind a vast number of decrepid persons?—Yes; although there should be left behind a large number of decrepid persons.

910. *Chairman.*] Are there not some evils to which you have not alluded, which have arisen in the colonies, from the want of some such regulation as that which you have supposed, from the want of selection?—The evils in all colonies have been enormous; the evils arising from the disproportion of the sexes; and this question reminds me of one benefit arising from the supposed selection, which I omitted to notice, the moral benefit. Great moral benefit would result from every labourer in the colony being a married man, and from every young woman in the colony being a married woman; for what would be the consequence? The consequence would be for a long while in the colony, that all the people, or at least all the labouring class, would be either married men or married women, or boys or girls. There would be no class of grown-up single people, such as in this country (that class being very large indeed, in proportion to the whole number) leads to all sorts of irregularities and immoralities. I hardly know what facts relating to the evils which arise in the Australian colonies, from the disproportion of sexes, belong to this inquiry; and if I did, they are of such a nature that I should like to be spared the task of describing them. I should prefer that they were described by a Member of the Committee, His Majesty's Under Secretary of State for the Colonies, who must be better acquainted with them than I am; who must know them from the official information contained in his office; and who could spare himself the pain and difficulty of choosing terms for what he might have to convey, by reading what other people have written upon the subject.

911. Mr. *Poulett Scrope.*] Would not your system of selection also have this further advantage, that it would wholly get rid of those alarms which at present are felt in some of the colonies as to the mother country sending to them the worst characters, and the decrepid good-for-nothing-at-all persons whom she wishes to get rid of?—Unquestionably, the labourer selected as I propose would be the most valuable thing in the shape of labour which you could send to the colony; in all respects, economical, moral, and in every other conceivable way.

912. Mr. *Childers.*] Do not you think that the removal of the best labourers

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from this country would very materially improve the quality of those who remained?—I think that in removing that pressure, which has been very injurious in this country, but which just at this moment is hardly felt, in consequence of particular circumstances in the labour market, you would enable those who remained to attain a degree of comfort and a degree of self-respect which would alter their character, and raise them, as it raised them in their own esteem, in the esteem of others.

913. *Chairman.*] Supposing this principle of selection to be adopted, to whom would you confide the care of making it?—I conceive that the task of selection ought to be confided to those persons who are charged with the disposal of the land, and the employment of the land fund for the purpose of emigration.

914. You would wish, then, to confide the selection of emigrants to a special and responsible authority?—This question applies to the whole management of emigration; the last question applied only to the selection. I believe that I did not quite understand the Honourable Chairman. When the question applies to the whole management of emigration, I find a great number of reasons for placing that work in the hands of a special and responsible authority. There is a great deal of emigration going on now. In the year 1831, it is calculated that about 100,000 persons (the official returns give 105,000 persons, but I believe they do not include all those who left the country), the amount of emigration was above 100,000. That emigration took place without any precaution at all for its being well conducted. Every year I will not say we drown a great number of people, but we let a great number of people be drowned in the river St. Lawrence, and other places, because we allow ignorant persons, who could not by possibility have any knowledge of the nature of a ship, of whether a ship be a sound one or not, to be placed on board rotten ships, 20 or even 30 years of age, which no sooner touch a sandbank than they go all to pieces.

915. Mr. *Gladstone.*] With reference to the remark last made, are you aware of the Bill which was passed last year for the purpose of regulating the transit of passengers from this country?—I am not particularly acquainted with the Bill passed last year; there have been several Acts of Parliament for that object, but they have been evaded because there was no special and responsible authority for the purpose of looking to their execution. The existence of an evaded Act of Parliament, having for object the good conduct of emigration, furnishes a strong argument in favour of some special authority for the purpose of seeing that such Acts be not evaded.

916. But you are aware that emigration agents have been recently established in emigration ports?—I am aware of that; and I believe that a great deal of benefit has resulted from the establishment of those agencies. It appears to have been the first step ever taken by our Government to manage emigration with care; but it so happens, as I believe, that since the appointment of those emigration agents, whose duty it ought to have been to examine the ships (I do not know whether it was), the number of people drowned by being sent out in rotten ships has been greater than ever.

917. Do you happen to know whether in the Act of last year, to which I have adverted, any provision was contained that passengers' ships should be surveyed, and certificates of their sea-worthiness given, under the direction of the agent?—I think there was.

918. Do you think that that is likely to be useful?—Yes, most indispensable.

919. Mr. *Roebuck.*] Do you happen to know whether in that Act there is not a provision regulating the number of persons to go in a ship, and if above a certain number a surgeon should attend them?—I believe there is.

920. Do you happen to know by a certain clause that there is a provision by which the whole of the American colonies are excluded from the operation of that Act?—I am not aware of it.

921. *Chairman.*] Are there any other evils resulting from the want of a special and responsible authority in the management of emigration, in your opinion?—Yes. I was interrupted in a statement of what I conceived to be the evils resulting from that want, in proceeding from the mother country to the colonies; and very great evils indeed appear to arise from it. In the first place, no sort of precaution is taken for measuring the supply of labour by the demand; the

the consequence is, in the colonies, gluts of labour; the arrival of large bodies, all at once, without notice, quite unexpected by the settlers, and their being thrown, as happens continually in Canada, and sometimes has happened with grievous effects in Van Diemen's Land, upon the public, without funds, without an immediate demand on that glut for all their services, and left to take their chance; to be, what I remember when I heard this system, or rather this practice, justified, called by Sir Robert Horton, "absorbed" into the colonial population. And no doubt they are absorbed, but not till after a period of very great suffering. The United States and the Canadian legislatures, finding that great evils resulted from the arrival of masses of emigrants without notice, without regularity, without any precautions for their being taken care of, have actually imposed, what on any other ground would seem hardly credible, a tax upon the arrival of emigrants in their country, where labour is so very much wanted. As to Canada, the tax was suggested by Lord Ripon, and in a despatch, I believe, of which the object was (that very despatch to which the Honourable Member for Devonport referred on the first day that this Committee sat) to recommend measures for promoting emigration; that is, he recommended measures for promoting emigration in one part of the despatch, and recommended a tax upon emigration in another part of the despatch. If the proposed tax had any object at all, it was to provide some sort of remedy for the neglect of the Colonial Department in never seeing about the manner in which emigrants should be conveyed to the colonies, or about the apportionment of the supply to the demand. That occasional disproportion of the supply to the demand, that want of any measure by which the supply might be apportioned to the demand, appears to me to be a very great evil resulting from the want of a special and responsible authority charged with the care of emigration.

922. Mr. *Scrope.*] Was not the tax of which you speak applied to promoting the advance of the labourers further into the colony?—Yes, I believe that it has been applied in that way. It was a method, and a bad method as it appears to me, of doing that which ought to have been done by some other means. Every labourer, necessarily ignorant of the state of the colony, if at the solicitation of Government he undertake to emigrate, should be carefully conveyed, and never deserted until he has reached the house of his colonial master.

923. That tax has ceased at present, has it not?—I do not know.

924. Do not the remarks which you have just made apply rather to a state of things in the North American colonies, three or four years back, than to their present state? Are you not aware that from the present despatches laid before Parliament on the subject, a tolerably good system has recently been adopted for forwarding those labourers into the interior who arrive in a destitute condition; for forwarding them to those parts where the demand is?—No, I think it is a wretched system, or no system at all; it is a slovenly disgraceful practice, not deserving to be called a system.

925. Have you seen the recent despatches?—I have not seen the recent despatches of the colonial governors.

926. Have you seen the letters of Mr. Buchanan, which have been laid before Parliament in the present session?—Yes; but I still think that what takes place in Canada does not deserve the name of a system at all; it is a slight improvement upon the old shameful practices. I was interrupted when going to say, that we have had cases of special, but certainly not of responsible authority, charged with the conduct of emigration. In 1831 a Board of Emigration was formed, which sat at the Colonial-office, and which was especially charged with the conduct of emigration from Great Britain and Ireland to the British Colonies. At the head of that Board was the Duke of Richmond. It was, as I ventured to call the South Australian Commission, a *dilettanti* board, an unpaid board. The consequence was, that it sat as long as the novelty lasted, and as soon as the novelty was at an end, one member dropped off and then another, till at last no board was left. There was no pay; there could be no responsibility; there was no obligation to attend; the board melted away. To whom now does the State confide the conduct of such emigration as is managed with the public funds? There is emigration managed with the public funds at this time. A portion of the large land funds of New South Wales and Van Diemen's Land is employed in conveying labourers to those colonies. The sales of land furnish money for conveying emigrants to New South Wales and Van Diemen's Land; and to whom is the work confided? To a committee, so called by itself, sitting somewhere, but

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I am sure I do not know where, in the city of London, consisting of some benevolent gentlemen and ladies (I believe that Mrs. Fry is one of those commissioners). Thus the State actually confides the superintendence of emigration, with the public funds, to a benevolent society; a small party of private persons, including females, who cannot be under any responsibility, since they have not to make reports to anybody, and are accountable to no one but themselves. They take care, however, to get paid; that is, the persons who really do the work, take care to be paid without responsibility. The Government hand over to them a certain sum for the conduct of emigration, and they charge something more per head per emigrant than the emigration actually costs them. So that this is not a case of responsibility for want of pay; but it is a case of pay without responsibility. Unless this statement had been made (and I believe that it is accurately true) it would hardly have been credited, that a Government which boasts of its great intelligence, as ours very often does, should allow so important a work as the conduct of emigration by the State, to be superintended by a party of people whom nobody knows anything at all about, and whose very existence, I believe, was unknown to the majority of the Members of this Committee, till I mentioned it just now.

927. *Chairman.*] Are you aware of the present amount of revenue derived from the sale of waste land in all our colonies?—I am not; I find it impossible to ascertain what the amount is. The subject is involved in so much mystery that one cannot learn anything upon the subject that is to be depended upon; it appears to be purposely involved in secresy.

928. Do you conceive that at present the total revenue from lands would convey as many labourers as could find employment there at good wages?—That is a very important question; and I should be inclined to answer it by saying, that the present and future land fund at the command of the colonies would not afford a sufficient supply of labour; and for this reason, that the profusion in granting land has in most cases been so great that you cannot expect a very large fund till population has increased in proportion to the appropriated land. In one colony, for the colony of South Australia, the emigration fund at present exceeds the demand for labour. The commissioners have a fund in hand ready to supply the labour whenever it may be wanted.

929. Why does South Australia differ from other colonies in this respect?—Because, in South Australia, no land has ever been given away. All the land that has been disposed of has been sold, and at 12*s.* per acre. There has been no profusion, no granting, and there is no disproportion between land and people.

930. Do you conceive that the revenue to be derived from land sales might be anticipated with benefit to the colonies, by the borrowing of money for the purpose of emigration, on the security of future sales?—That appears to me to be a most useful means of giving early effect to the whole plan; and in order to illustrate my view, I will refer to the case of the United States. The land fund of the United States being now, let us suppose, four millions per annum, would convey a certain number of emigrants to that country during every year; but if the United States had for object the abolition of slavery and the immigration of the greatest possible number of Europeans into their country, what would appear more natural than that they should apply to the capitalists of Europe, to whom they do apply whenever they want capital, and with great success too, and with great benefit to the capitalists of Europe and to themselves, saying, "Here we have a great fund of four millions sterling per annum; under any circumstances, from the mere increase of people by births, it is quite clear that this land fund will go on increasing from year to year: it offers, therefore, an admirable security for a loan. We wish to borrow upon this land fund of four millions per annum 20 millions sterling. We wish to abolish slavery; that is our object, and we wish to borrow so much money as will enable us to bring into the United States a number of young labourers exceeding the number of our slaves. We offer you what is already an excellent security, but it will be super-excellent, or at any rate a pre-eminent security, if we employ the whole of the loan in adding to the value of the security upon which it is advanced, by expending the 20 millions borrowed upon conveying into the United States a selected class of European labourers." The land fund of the United States would thus increase so very rapidly, that there can be no doubt that the loan might be paid off in the course of a very few years. That case appears to me to illustrate the expediency of anticipating

anticipating the future sales of land. The expediency of such anticipation arises from the excess of land in many colonies in proportion to the people. By anticipating the future sales of land, the proper proportion might be brought about between people and land in each colony, and then the land fund would begin to increase rapidly. First of all it would become a means of paying interest upon the loan, and afterwards of paying off the money which had been borrowed. The South Australian commissioners, under their Act of Parliament, have power to anticipate the land fund by borrowing money for the purpose of immigration; but having put upon the land a price which has already given them an ample immigration fund, they are not under the necessity of anticipating the fund. They already possess ample means of immigration.

931–932. How would you propose to carry your views into effect; by the anticipation of the land revenue?—By empowering the commissioners, who were charged with the other parts of the operation, to raise money for the purpose of immigration, upon the security, for each colony, of the land to be afterwards sold in that colony; and binding them, of course, to apply the sum which they raised by anticipation for each colony, in conveying emigrants to that colony, and to no other.

933. Do you not think that this anticipation of the future land sales for the purpose of emigration might lead to mischievous gluts of labour in the colonies?—I think not, provided that proper precautions were taken for preventing gluts of labour. If the commissioners charged with the conduct of emigration took care to be constantly informed of the state of the labour market in the colonies, they would as well be able to prevent gluts of labour if the land fund were anticipated as if it were not.

934. You have supposed, throughout your evidence, that the amount of land sold would give a measure of the demand for labour in each colony; but how would you apply that rule if the future sales were anticipated?—It may come to happen in established colonies, and it may be now in a new colony where there has never been any profusion, where land has never been given away, that the amount of land sold will give a measure of the quantity of labour wanted. That might happen, and may come to pass hereafter. Of course, in any colony where the land fund was anticipated, there could be no such measure; and the commissioners must, so long as anticipation was necessary (anticipation requisite only in order to counteract the previous profusion of Government), rely upon their information as to the state of the labour market; they could trust to nothing else.

935. Have you formed any estimate of the amount of emigration which would be requisite to improve the situation of the peasantry of Ireland?—I have thought a great deal upon that subject, but I have not ventured to form any estimate. Upon reading the evidence and Reports of the Commissioners of Inquiry into the State of the Poor in Ireland, I find that they do not venture to form any estimate. They state facts which lead to the inference that the amount of emigration that would be really serviceable to Ireland must be very great; but they seem to abstain carefully from stating what that amount may be. Indeed, by the final Report of that commission, it appears that the commissioners rely, for carrying out the whole of their suggestions, upon emigration alone, and, this being the case, that they have intentionally avoided placing any limit to the amount of emigration. Their object seems to be so to diminish competition for employment, as to raise the condition of the Irish peasantry to a state resembling that of the people in England; and they put it over and over again, by inference, that their means of accomplishing this great object is emigration. In stating their end, the object which they have in view, they leave the amount of the means to be employed to be determined as the necessity for employing them may appear. They speak of emigration, but of no specific quantity. They speak, as I have spoken often of the price of land, of "sufficient" emigration. They fix no limit, they rely altogether upon emigration; and they draw no limit, because it appears that any amount short of the sufficient amount would be of little or no use. Seeing that they have not fixed upon any number of persons, whose removal from Ireland it would be desirable to promote, I have not ventured to form any estimate upon that subject.

936. Have you formed any estimate of the number of emigrants who might find employment in the colonies?—I have not formed any precise estimate. I believe that there is at present a very great demand for labour in the Canadas,

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especially for public works, as well as in New South Wales and Van Diemen's Land. By the recent accounts received from New South Wales, it appears that the want of labour there is so great, that the settlers are occupied in devising means of procuring more emigration than takes place under present arrangements; and a considerable number have met together for the purpose of forming a society, of which the object is to buy waste land of the Government, stipulating that the whole of the purchase-money shall be employed in conveying labourers to the land sold. They have adopted precisely the principle of colonization which has been developed to the Committee. This general fact then appears, that there is in our colonies a great demand for labour; I have not ventured to form an estimate of the extent of that demand; nor do I consider that of any great importance when I arrive at this conclusion, that whatever may be the demand now, the demand will increase in proportion to the degree in which it is supplied. The more emigration there is, the more there may be. The more labourers you send to the colonies, the greater will be the demand for labourers in the colonies. The demand will increase continually; not in intensity, not that wages will be higher, but that, at a given rate of wages, the demand will be for more people. An estimate of the number of persons resident in the colonies at the present time, would not show our power of emigration; the most accurate knowledge upon that subject would not show the extent to which we might conduct emigration. Our future power of emigration would depend upon the degree in which we exerted our present power.

937. Mr. *Poulett Scrope.*] You have recommended that a sum of money should be borrowed by the colony, upon the security of the future sales of land, and to be applied in beginning emigration upon a large scale; now with a view to ascertain to what extent you could carry emigration, in the first place, is it not a *sine quâ non* that you should ascertain the amount of labour for which there is a demand in the colonies?—It is of course absolutely necessary that the special and responsible authority charged with emigration, should obtain the most accurate knowledge on that head; but it is not necessary that Parliament should possess that knowledge, for the mere purpose of establishing the principle. The principle once established, those who would be bound to carry it into effect, would be bound to obtain the completest knowledge; but if you once admit that the greater the amount of emigration, the greater will be the amount of emigration, it is only necessary that Parliament should establish the principle, and then the commissioners would take care, if they were made sufficiently responsible, to carry it into effect in such a way that there should be not more than a sufficient supply at any time.

938. As you have turned your attention to this subject, could you say, not speaking very accurately, that the colonies might, in the next year, take double the number of labourers that had introduced themselves voluntarily in the past year? Yes; and I am very glad that that question has been asked. If you send people to the colonies irregularly, as they are sent now, without notice, people are not prepared for their arrival; but if you conveyed them by means of a regular authority, you would always give notice of their arrival. The establishment of that principle by Act of Parliament would give the best possible notice. The colonies would be informed that they were about to obtain a supply of labour, and not merely a supply to-day, but a continued stream of labour; and then what would happen in the colonies? I must take the Canadas as an illustration of this point in political economy. In Canada I say it is impossible for any capitalist to undertake with safety a work that requires the constant employment of a great number of hands at one time and in one place, and for a long consecutive period. In Canada all operations which require much combined labour for a long period together, are constantly excluded from the industry of the colony. That class of operations, it will be found, forms a very large proportion of all the industrious operations of a prosperous country, a country which produces much. If your Act of Parliament should hold out to Canada the prospect of a continuous stream of immigration, you would at once furnish to the capitalists of Canada motives for undertaking works requiring a continuous supply of labour; you would therefore, in my opinion, both in Canada and New South Wales, and Van Diemen's Land and South Africa (where, by the way, the colonists are about to lose their only means of combinable labour, their slaves), you would, by establishing the principle of a continuous stream of immigration, create in the colonies a new demand for labour. You would create a motive for undertaking

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works which have never yet been thought of. If you kept up the supply, the increase of production would be so rapid, the means of accumulating capital by the application of combinable labour to virgin soils would be so great, that I imagine that the increase of demand would be very soon sufficient to take off as many people as you might wish to convey.

939. Do you think that at least double the number of emigrants that have proceeded voluntarily from this country to the colonies last year, might be taken out under the Government regulations this year?—That is the former question repeated, and I repeat my answer; I say yes. If you establish a principle by Act of Parliament, if you hold out to the colonists a promise, and make them believe that you will keep it, then I think that you might send a much greater number this year than were sent last year, because in that case the colonists would commence numerous works, of which hitherto they have never thought.

940. *Chairman.*] Do you consider that systematic emigration would be the means of augmenting employment for labour in the mother country?—I think it would.

941. In what way?—I think that emigration is the best means of increasing population at home. I would beg the Committee to refer to the county of Lancaster. If that county were merely an agricultural county, its population might not be more than 100,000; it amounts, I believe, now to 1,500,000. With a moment's reflection, though the statement may be new, as the idea is novel to me, (that is, it is one formed of late years,) nothing appears more plain than that the county of Lancaster owes its population to the existence of colonies; that Manchester, which exists through the colonial trade, could not have existed if Englishmen had not emigrated to America, and there produced the staple of the Manchester manufactures. Then the trade of Liverpool, with all those docks of which we are so proud, and that vast amount of shipping of which we boast, has arisen almost entirely from colonization; and you might be further convinced of the fact by walking through the docks of London. In walking through the docks of London a large proportion of the goods which will fall under your eye, are goods produced in the colonies; produced by English people, or by people whose ancestors emigrated from this country. The *rationale* of the assertion that emigration ultimately increases numbers at home, appears to me sufficiently plain. In the time of Elizabeth, our Queen had very few wants. Queen as she was, nearly all her royal wants were satisfied with beef and ale, and salt-fish. She walked upon some reeds; and she put on her clothes with wooden skewers. Such were the wants of the greater part of the people of this country. At that time, an Englishman, one of the greatest of Englishmen, in my opinion, Sir Walter Raleigh, went to America, and discovered a weed, which weed was brought to England, and was found by many people to be extremely agreeable. The desire to obtain tobacco has formed, I really believe, one of the greatest motives to that improvement in the industry of Europe, which has raised Europe from the state in which it was in the time of Queen Elizabeth, to its present state. Everybody must have seen that amongst those who produce all things, that is, amongst the labouring class, the desire to obtain tobacco is one of the strongest motives to labour which is ever felt. But it is not necessary to confine ourselves to tobacco; sugar and many other new commodities were discovered and produced by means of colonization. The taste for these new commodities produced new wants. A desire to satisfy them gave a new stimulus to the industry of Europe; through that stimulus to the industry of Europe, and especially of this country, industry has improved, skill has improved to such a degree, that with a much smaller proportion of hands we now produce an infinitely greater amount of food. I see Manchester and Liverpool the creatures of colonization. I see even the great improvements of agriculture which have taken place in this country during the last 200 years, the creation of colonization; and when I know that the unstimulated industry of this country 200 years ago, would not support more than 4,000,000 of people, and that having been stimulated by the desire of satisfying new wants, I attribute the power we now possess of maintaining 12,000,000 instead of 4,000,000, to the influence of colonization. As emigration is one of the three great elements of colonization, emigration appears to me to be the means of increasing the population of the mother country.

942. So that in point of fact you think the country may become more populous instead of less populous, by means of well conducted emigration?—Decidedly.

 943. Do

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943. Do you think that emigration, if properly conducted, would carry off the excess of people when it occurs here, and yet promote the increase both of wealth and of population subsequently at home?—Undoubtedly.

944. There is one part of the subject connected with Australia, and the disposal of land there, upon which you did not give the Committee your ideas; that is the right of pasturage: in introducing a system of sale, how would you dispose of the natural pasturage upon lands unsold?—The right of pasturage is a very important item in Australia; a great quantity of the exportation power possessed by New South Wales and Van Diemen's Land, consists of very large natural pastures, over which it is easy to lead large flocks. The question then has arisen with me, whether there ought to be, upon the pasturage, the same restriction that I have proposed for the land; and I find by a short process of reasoning, that there ought not to be that restriction. The object of the restriction on land, of a price being put upon land, is to prevent the labourer from becoming a freeholder too soon; but the right of pasturage is not a freehold right. The right of pasturage might be given for all useful purposes without giving any right to build upon the land, or it might be granted without giving any right of appropriation at all. As the object of a fixed price for all freehold land would not be served at all by any restriction upon the use of pasturage, I should allow the utmost possible liberty of use (but never the liberty of appropriation), subject to such conditions as would secure the use. It appears to me that in the case of pasturage, not given but only let, there is an after-condition of which the fulfilment might be secured; that condition I conceive to be the keeping of a certain quantity of stock upon the land hired from the Government. It would be a very easy thing indeed for officers charged with the duty once a year, or occasionally, to ascertain what quantity of stock the lessee really had upon the extent of pasturage land; and with that condition it appears to me that the pasturage ought to be let at merely a nominal rent, or no rent at all; subject to no other condition than the keeping of a certain quantity of stock per acre, and that the pasturage ought to be let as the land ought to be sold, uniformly and fairly, "first come first served," always being liable to be brought into the Government sales whenever anybody wished to obtain, by paying a sufficient price, the freehold property in the land.

945. And you think that this ought to be provided for in any legislative measure which should give to the legislative sales uniformity and permanency?—Yes, I think it ought to be carefully provided for; and the more so as in the case where it has not been provided for by Act of Parliament, the discretionary power about it has been, in my opinion, abused; I allude to the case of South Australia. The Act of Parliament establishing South Australia, secures a perpetual minimum price for land, namely, 12*s.* an acre; but it leaves to the commissioners a discretionary power as to the disposal of pasturage. What have they done? They have sold land at 12*s.* per acre to such an amount as has produced them 35,000*l.* for an immigration fund; but they have also disposed of pasturage to the extent of 963,200 acres, without taking any, as it appears to me the slightest, precaution for providing that this great amount of pasturage shall be used at all. That is, in selling the land at the minimum price which the Act of Parliament settled, they attached to each section sold a great quantity of pasturage, without requiring any condition, without requiring any amount of stock to be kept upon the pasturage; so that, in point of fact, they sold the land and the pasturage together; they sold the land for 12*s.* per acre (the Act of Parliament would not allow them to sell it for less), but as they gave with it pasturage in very great quantity, and of great value, they sold the land for less than 12*s.* an acre; a great deal less, perhaps; I do not know how much, but for so much less as the value of the pasturage in each case. The Act of Parliament, as it was originally drawn, determined that the commissioners should have the power of disposing of this waste land according to their own discretion, and it gave them an unlimited power as to it. They could let the land for any time they pleased. This was considered improper by some persons, and the Bill was altered so as to limit the leases to three years; but this limit was found extremely inconvenient: the only proper limit it was seen ought to be, the land being wanted for purchase; that if a lessee were disposed to perform the condition,—to keep the requisite amount of stock,—he ought to be permitted to retain the pasturage for ever, if nobody should come to purchase the land on which the grass grew. In order, therefore, to escape from this restraint (an improper restraint, I think, and the commissioners think, which was inserted by a person wholly ignorant of the subject), they

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they determined to give to each lessee, at the expiration of his three years' lease, the right of preemption, and of taking a new lease. By these means they rendered the lease perpetual, subject, of course, to the land being wanted by purchasers.

946. Mr. *Poulett Scrope.*] Not subject to a rise of rent?—No, at a fixed nominal rent, 10*s.* per square mile, I believe; that is the sum, not liable to be increased.

947. Fixed for ever?—Fixed as long as the lease stands.

948. Have not the commissioners a power of increasing the rent at the expiry of the lease?—No. No condition then has been imposed upon this amount of pasturage; the people who have obtained it are not compelled in any way to use it, but they can prevent others from using it: 963,000 acres of pasturage have been disposed of, according to what I called the other day, repeating from Mr. Bentham, "the dog-in-the-manger principle." This large extent of pasturage has been placed out of the reach of persons who might be disposed to use it, and is held by persons who may use it, or may not, just as they please. This fact leads me to the opinion that it would be desirable to settle, by an Act of the Legislature, the principle as to the disposal of pasturage, quite as much, or nearly as much, as it is desirable to settle the principle upon which freehold land shall be disposed of.

949. Mr. *F. Baring.*] Do you suppose that it is very easy to draw a line between what is pasturage and what is fit for cultivation; as arable land, for instance? Is it very easy to establish that a certain district shall be only used as pasturage; may not all land, where there is a power of getting water, be used as arable land; and may not the land which had been used as pasturage, by the extension of the population, come in as arable?—As soon as the population increased, that land which had been used for pasturage would be wanted for agricultural purposes. Whether land were used for pasturage or agriculture, would depend on whether or not it was purchased.

950. Mr. *Childers.*] At whose instigation was this regulation made for South Australia?—I cannot tell at whose instigation it was made. All I know is, that it was made in defiance of a suggestion of the chairman of the commission, who prepared, and printed, and distributed, a set of proposed regulations, in which he had carefully provided that the pasturage should not be disposed of except on the condition of keeping a certain quantity of stock upon it.

951. Mr. *Poulett Scrope.*] The system which you recommend in preference, therefore, is the allowing an unlimited quantity of pasturage to be appropriated to the use of the first applicant, without any condition requiring his purchasing any tract of land whatever. Would that not expose you to this risk, that inasmuch as the possession of 100,000 acres of pasturage requires a large amount of labour as shepherds to look after the flocks, the principle by which your demand for labour is to be measured, viz. the sum raised by the sale of land, would be vitiated; that it would no longer be a good measure of the demand for labour, since you would have a larger demand for labour upon those tracts of pasturage for which no money had been paid?—That question appears to me to lose sight altogether of the means by which the price of land would secure hired labour. The way in which the price of land would secure hired labour is by preventing the labourer from becoming a landowner before a certain period of service. Whether he were employed on the freehold land, or on a river close to it, or on pasturage close to it, or in any other occupation than upon the land, appears to me to make no difference. Let the price be such as shall compel every man, in whatever situation, who is a labourer, to remain so during a certain time; whether he be employed upon the pasturage, or upon the land itself, appears to be of no consequence at all.

952. The principle of applying the proceeds of land to the introduction of labour promises to those who would buy land a sufficient supply of labour to cultivate it?—On the contrary, in my opinion; because I have said, on a former occasion, that I think that a buyer of land ought to pay more if his purchase-money were not employed in giving him labour, instead of less.

953. But put an extreme case; here is at present nearly a million of acres of land let out in pasturage. If your principle had been adopted, that might have been let out at a nominal rent, bringing in no sum whatever; and yet not a single acre of land need have been sold in the colony, and there would have been no labourers reserved to cultivate your land, or to cut the crops?—In that case, of course, the persons who had hired the pasturage would have been under the

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the necessity of taking with them the labour wherewith to use it. The case has actually occurred. Very large tracts of pasturage have been appropriated on the south coast of Australia, and are now under use by a class of usurpers, they may be called, who have emigrated from Van Diemen's Land for that purpose, but who have taken their shepherds along with them.

954. But supposing a still stronger case, that besides the appropriation of a million of acres of pasturage, 1,000 acres had been sold, and the proceeds of that 1,000 acres had been expended in the introduction of a small number of emigrants, would not the purchasers of that 1,000 acres have some reason to complain of being exposed, as they would be, to the competition of that million of acres of pasture in the demand for the labourers who were introduced by the expenditure of their money?—I think not. Their money, as I said before, would not have been paid for the introduction of the labourers. The money would have been paid for the system under which hired labour should be secured in the colony. The object of the price is not to create an immigration fund. You may employ the fund in that way if you please; but the object of the price is to create circumstances in the colony which would render it, instead of a barbarous country, an extension of the old country, with all the good but without the evils of the old society. Therefore I see no relation (it is easy to see one which is of no consequence, but I can see no proper relation) between the price required for land and immigration.

955. But your object being to fix a sufficient price on land in a manner which would provide a sufficiency of labour to meet the demand, the case which the question supposes is this: a demand for shepherds measured by the million of acres pasturage, and a supply of labourers measured only by a thousand acres of cultivated land which has been sold, will not there be the greatest possible disproportion between the supply and the demand, and will you obtain a sufficient degree of labour, which is the object of your scheme?—I do not mean to secure a supply of labour by the price of land; I have said that out of fixing the price of land for certain purposes, the result will occur (an accident I have called it), that you will find in your possession a fund which you may use for what purpose you please. If it were used for immigration, that would have no relation to my view of the principle on which, in all cases, a price ought to be required.

956. Mr. *Roebuck*.] The Hon. Member's question is this: the object of a sufficient price is to prevent, as you have stated in the other part of the evidence, men yielding to a peculiar desire which all men have, and particularly those who come from England, to be landed proprietors. That desire to become landed proprietors would become a desire to be proprietors of pasturage, and thus the evils which would result from the want of combinable labour, created by the desire in the other colonies to obtain land, as landed proprietors, would result in this case from the persons obtaining land as holders of pasturage, supposing there was no means of preventing persons from possessing pasturage, and thereby preventing combinable labour?—If that be the meaning of the Hon. Member for Stroud, then I answer that in pasturage there is no appropriation. The use of that which grows upon the surface of the land is not appropriation. In the way in which I described it, the land would be always liable to be taken away for the purpose of sale.

957. You think that the desire of becoming landed proprietors would not be satisfied by having the use of pasture?—Not in the least; and this question gives me an opportunity of making a remark which I was anxious to submit to the Committee, and which I omitted before. The common use of the word restriction upon this occasion, seems to suppose that the price is suggested with a view to preventing men from following some inclination of their own, which is not advantageous to them. Now I wish to draw this distinction. It is really, without some restriction upon all, for the advantage of the labourer to get land of his own, just as without some restriction upon all, it would be for my interest, or the interest of any other person, to take anything good that he could find as he walked along the street; to go into a shop and take all the watches, or all the other articles of value; but the restriction applies not to any one in particular as against him, but in his favour against all other individuals. It may not be for the interest of ten to combine out of a hundred, if ninety separate. Therefore the very inclination of which I am speaking of the man to obtain land, arises perhaps from the want of some restriction which should apply to all. If the restriction applied to all, the inclination would exist in none.

958. Mr.

958. Mr. *Hutt.*] Are you aware that the commissioners charge 10*s.* a square mile to those who purchase land?—Yes, I am; and I consider that a merely nominal rent.

959. You have styled the system which you have justly reprobated as "the dog-in-the-manger system;" do you think that large tracts of land would be retained without being used, where parties were paying an annual rent of 10*s.* per square mile?—Yes; I look upon the annual rent of 10*s.* a square mile as merely nominal; and I believe that some of that vast quantity of land will neither be used by the grantees nor by any one else. I am not sure even, considering that there is attached to every 40 acres purchased one square mile of pasturage, but that the principle of the colony has been so much departed from, as to expose the whole undertaking to very great risk. Forty acres of freehold gives 640 acres of pasturage. That addition of pasturage to that freehold appears to me to have increased the value of the thing purchased so much, or to have reduced the value of the money paid so much, that I doubt whether great evils may not arise from the lowness of the price of freehold thus created in South Australia.

960. *Chairman.*] Supposing this system of sale which you have developed to the Committee to be established, in what way does it appear to you that it would open a field for the profitable employment of the surplus of British capital?—In several ways. In the first place, it appears to me that if all the waste land of all our colonies were placed upon a system, by Act of Parliament, and confided to the management of a responsible authority, the feeling of security as to the future amount of land sales would be so great, that it would be very easy indeed for the Government to borrow a very large sum upon the security of future sales. There I find employment at once for that large sum, whatever it might be. It might amount to many millions. In the next place, I think that if the disposal of land were rendered uniform and permanent by the Act of the Legislature, a great many people in this country would engage in the purchase of land on private account, sometimes individually, and sometimes in companies. The purchase of land, supposing the disposal of land to have been placed upon a permanent and uniform system, appears to be one of the fittest operations in which a company can engage. It consists of buying, waiting, and selling at an enhanced price. Though the operation be distant from the persons who furnish the capital for carrying it on, the risk from the mismanagement or misconduct of agents is very small indeed. The agent cannot run away with the land. The whole of the purchase-money and the capital employed is used in adding to the value of the land, in adding to the population of the spot where the land has been bought. On this account there appears to be a great facility for carrying on such operations by means of parties at a distance. I imagine, therefore, (and am borne out by the example of the United States, where a number of land companies operate in the west, and with great success, though their directories remain in the eastern towns,) that a great deal of English capital which is now on the point of going abroad to be surely wasted, would be invested in the purchase of colonial lands. I further see, that such a system of colonization, if the principle were carried out to the fullest extent, would at once create a very large demand for shipping; very great indeed, sufficient, as it appears to me, to stop that cry of the shipowners, who are constantly complaining of what they call "distress." They mean by that, I believe, the effect of their own competition with each other; that is, the effect of the great increase of their aggregate wealth. But I think it would put a stop to that cry if the demand for shipping came to be greatly increased. Till the supply came also to be increased by more activity in ship-building, their distress would be at an end; that is, they would be obtaining high profits instead of low. In all these ways, it appears to me, a vast field would be opened for the profitable employment of British capital. I find, too, that a very great amount of British capital is employed in colonies; that it emigrates for the purpose of obtaining the high profits of colonies. The Committee would be almost surprised, I think, if there were laid before them, and by mercantile men competent to give such a statement, a statement of the very large amount of British capital which is now employed in all sorts of operations in the United States. According to the scheme which has been developed to the Committee, the colonial profits would have been made higher than ever they were; colonial industry would have been more productive; colonial interest would be higher than it has ever been. The inducement, therefore, to furnish

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furnish capital in the colonies would be greater than it has ever been, in all sorts of industrious operations. Finally, recurring to the doctrine that emigration increases the population at home, the new demand which you would create in the colonies for the products of British industry, by enabling this people to increase at the greatest possible rate, and to settle in the colonies, would be so great, that I can see within a period not exceeding the life of the oldest man in the room, two Manchesters instead of one, and two Liverpools, and two counties of Lancaster, in point of population and production. There is an enormous field, to which I can set no other limit than the utmost possible increase of people, for the employment of British capital by means of colonization.

961. Are there any parts of the world, subject to our dominion now, in which you imagine that new colonies might be founded advantageously under this proposed system?—Many: I consider that in Australia at present there are no colonies; I look upon the settlements in New South Wales and Van Diemen's Land as mere gaols of a peculiar kind. They call the keeper "His Excellency," and the chaplain "Right Reverend;" but the real truth is that they are nothing else but gaols. Then South Australia is not yet founded. There remains a large extent of country between South Australia and that which is called Western Australia: there is, in extra-tropical Australia, a district of ground open to colonization of which the outline, touched by the sea, cannot be less than 4,000 miles. Very near to Australia there is a country, which all testimony concurs in describing as the fittest country in the world for colonization; as the most beautiful country, with the finest climate, and the most productive soil; I mean New Zealand. It will be said that New Zealand does not belong to the British Crown, and that is true; but Englishmen are beginning to colonize New Zealand. New Zealand is coming under the dominion of the British Crown. Adventurers go from New South Wales and Van Diemen's Land, and make a treaty with a native chief, a tripartite treaty, the poor chief not understanding a single word about it; but they make a contract upon parchment, with a great seal: for a few trinkets and a little gunpowder they obtain land. After a time, in these cases, after some persons have settled, the Government at home begins to receive hints that there is a regular settlement of English people formed in such a place; and then the Government at home generally has been actuated by a wish to appoint a governor, and says, "This spot belongs to England; we will send out a governor." The act of sending out a governor, according to our constitution, or law, or practice, constitutes the place to which a governor is sent a British province. We are, I think, going to colonize New Zealand, though we be doing so in a most slovenly, and scrambling, and disgraceful manner. That country appears to me to be open to colonization. Then there is another country which has been very much neglected, which is supposed to be a poor and unfertile country, but which I believe not to be so at all; South Africa. It was impossible that South Africa should have obtained any other character than that of poverty and barbarism. The Committee will think so when they reflect on the description which I gave them on Thursday of the mode in which waste land has been granted there, in circles. No country could be prosperous under such a system as that for the disposal of waste land. The eastern coast of South Africa appears to me, from all the accounts I have seen, to possess a field large enough for carrying off the surplus population of this country for a long time to come. Then I am inclined to think that the interior of Ceylon would offer a fine field for colonization; very fine indeed. Ceylon, in some respects, resembles Mexico. Though very near the Line, the interior of the country is of such an elevation as to give the climate of the temperate regions; so that whilst you have the plants of the Tropics growing on the sea border, you have English gooseberries growing on the hills. That interior part of the country is the least populous; it has a very slight population, and I believe that the greater part of the land is really at the disposal of the government. That country then appears to me to offer a very fine field for colonization, from its neighbourhood to India, and many other circumstances. Lastly, I am not sure that there may not be on the western coast of North America means of establishing very fine colonies. Certainly the descriptions which we have of a great part of that coast describe a country infinitely superior to the country of the eastern shore of America; and that country is hardly peopled. The only other part of the world which strikes me just now as being fit for British colonization is one, the mention of which will meet the difficulty about the western coast of North America, I mean a part of South America, the Buenos Ayres territory, for instance.

instance. It is not ours; it is quite clear that we have no right to plant colonies there; but I am inclined to think that the wretched governments of South America would be very happy indeed to make us grants for a slight remuneration, which would enable us to plant colonies; and a facility would be afforded of making extended settlements. These I know may be considered as something like dreams; but if they be so, I shall have the consolation of knowing that the plan of fixing a price upon all lands, and employing the purchase-money as an immigration fund, which was described to the Committee the other day by the Honourable Member for Devonport as the only plan which any reasonable person would now think of adopting, was, not six years, not five years ago, I think I may say not three years ago, treated with derision and scorn by those who had the means of carrying it into full effect.

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Mercurii, 29° die Junii, 1836.

MEMBERS PRESENT.

Mr. Ward.	Mr. Childers.
Sir George Grey.	Mr. William Gladstone.
Mr. Hutt.	Mr. Chalmers.
Mr. Roebuck.	Mr. Scott.
Mr. Francis Baring.	Mr. Poulett Scrope.

MR. WARD IN THE CHAIR.

Edward Gibbon Wakefield, Esq. called in; and further Examined.

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962. Mr. *F. Baring.*] YOU stated that the more emigrants were brought into the colony, the lower should be the price of the land?—Yes.

963. Upon a very obvious reason, that as the price of land is to be kept up in order to ensure a certain quantity of labour, if that labour is supplied by the pouring in of emigrants, the necessity of keeping up the price becomes very much less; that is your meaning?—Precisely.

964. Have you taken into account the competition for land that would evidently arise from the increase of the number of emigrants; and would not that somewhat modify your opinion as to that principle?—The competition for land would depend upon the proportion of people wanting land; upon the proportion of those people to the obtainable land. If emigrants were poured into the colony, (the price remaining the same,) the pressure upon the outside of the colony would be very much increased; but if the fixed price of which I have talked, were lowered in accordance with the larger population which was occasioned by immigration, then the competition would be precisely the same. The same mode of colonization would be maintained; only the progress of that mode would be more rapid in one case than in the other.

965. Mr. *Hutt.*] You gave in a statement from the Parliamentary Return relative to Canada, by way of illustration; are you aware of any attempt having been made to obtain a similar return from the Australian colonies?—Yes, I am aware of several attempts. That very Return to which I alluded before, contains a statement of a demand by Parliament for information respecting the Australian colonies; and the answer in the Return is, "No information has yet been received from the Australian colonies." The information required applied to 10 years previous to 1835; and the answer of the Colonial Office is, "We have no information upon the subject." There is another Return, purporting to be "A Return of the Sales of Land in Canada, and also in the colonies of New South Wales and Van Diemen's Land." The date of this Return is the 14th of August 1834; it is signed "John Lefevre," and was moved for by the honourable member himself, and contains these words: "The Returns for New South Wales and Van Diemen's Land have not yet been received." That is, they had not been received during the 10 years, or any part of the 10 years, for which the information was required.

966. Are you aware whether a similar application was made by Parliament for those returns in the course of the present session?—I am not aware of it.

967. Mr. *Childers.*] On the subject of combinable labour, do you consider that combinable labour can be introduced into any colony before it has acquired a large population,

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population, aggregated in such a way as to form considerable towns?—I conceive that it may, by means of slavery. We have numerous examples of labour in combination where there is no town at all. One of the most remarkable instances is that of a great sugar plantation in Louisiana, on the banks of a river far away from any town; land picked on account of its extraordinary fertility, where, according to the description of Mr. Stuart, himself a first-rate Scotch farmer, sugar, cotton, and tobacco farms are to be found comprising 4,000 acres of land. Mr. Stuart describes the agriculture of those farms, the manner of ploughing, and keeping the fences, and the general management, as excelling the most beautiful farms he ever saw in East Lothian. Then the question arises, how is this beautiful agriculture produced? and the answer occurs in the shape of 200 or 300 slaves upon one of those farms, all directed by one mind, all combining their labour, and by means of combining their labour, dividing among themselves the several different employments in which they are all engaged. In that case, combinable labour arises from slavery; but I can perfectly understand the case in which combinable labour should occur without it. I will take the case of the new colony of South Australia. Some of the capitalists who are about to emigrate to that colony, propose importing immediately large flocks from Van Diemen's Land. The flocks will naturally be led into a part of the country far away from any town, and will probably be feeding there, and producing wool, before there shall be any town at all in that colony. A quantity of labour, however, is about to be taken out by means of the sales of land which have taken place in England; and each of those persons whom I suppose to import flocks from Van Diemen's Land, will have an opportunity of taking into those far distant tracts of pasturage, five or six, or even 20 or 30 or 40 shepherds, to manage the separation and general treatment of a merino flock. This will be an instance of combinable labour, without the existence of a town.

968. Generally speaking, hitherto, are you aware that combinable labour has not been obtained where there has not been a large town, except in the case of slavery?—Generally speaking, no doubt; because the very circumstances which prevented combinable labour, has prevented the existence of a town. The great facility of obtaining land has induced the people, not only to separate their labour into fractions, but also to disperse themselves widely over the country, so as to make a rural population instead of a town one.

969. To return again to the case of Swan River; do you think that the great reason of the dispersion in Swan River was the easy acquisition of land? Was it not, in the first instance, the contrary, that all the best land had been monopolized?—I think not. The ruin of the Swan River took place through two processes. First, from the dispersion, arising, as I believe, from those large grants to individuals. Every new grantee was obliged to go beyond the former grantee in order to obtain his land. That of itself dispersed the colony; but the more important cause, as I believe, of the ruin of the Swan River, was, not the dispersion of the settlers over a great space, but the separation of their labour into fractions, by means of there being no hired labour. Labour never has been combined, except by one of two means: either by means of slavery, or by means of hire. One cannot conceive any other means by which labour should be combined. The moment labour in the Swan River colony was no longer hireable, all labour was cut up into the weakest possible fractions; and, to put the case extremely, I know, but still in a way which, I think, will illustrate this point, I believe that if one man should have two minds, and that man should be able to cut himself into halves, each having a separate will, then the great facility of obtaining land would induce each half of a man to separate itself from the other half; and thus, in colonies where there was no restriction upon land, we should see the people divided into fractions, so weak as to have but one hand each. Nature produces some combinable labour. Nature makes two hands together; but more combination than that never occurs, without slavery, where land is extremely cheap. The great cheapness, therefore, of the land at Swan River seems to have led the settlers to divide themselves into isolated fractions, and so to reduce the power of production to the minimum.

970. Has it ever occurred to you that there may be something in the settling in a country perfectly wild, which, in itself, produces such demand for labour, that no supply can meet that demand; but that the price, whatever the supply may be, will rise to an enormous height, from the fact of their being simply in a wild; has that ever occurred to you?—I think not; and I would answer the question by referring

referring to an actual case. Sincapore is a new colony, and a very flourishing one; one which has made extraordinary progress. Founded but a few years ago, it is now a flourishing commercial emporium; but Sincapore was, a few years ago, a complete wild. It was, however, a very small one. The quantity of land was so very small that there could be no facility in obtaining land. The consequence has been, that, in Sincapore, combinable labour, without slavery, has always been obtained by means of the importation of Chinese labourers. The Chinese have come down there as labourers; and, unable to obtain land (for there is no land to be obtained), they have remained there working for hire, and have been the means of the prosperity of that great commercial depôt. Such land as existed there, was, originally, as "wild" as in the most extensive colony.

971. From what you say, the Committee imagine that Sincapore is not dependent for its prosperity upon agriculture, on the cultivation of the wild, but upon commerce and other circumstances. In that case wildness has not prevented combination of labour?—It has not. The word wild has come to be used almost as synonymous with extensive. If by "wild" extensive is meant, then it appears to me quite clear, and it is only in accordance with the whole view which I have taken of the subject, that wildness prevents combination of labour.

972. Do not you conceive, that although perhaps it is difficult to define what wild is, yet that we are aware of a country unexplored, without settled inhabitants, with consequently a feeling of its being unknown, and therefore that advantages may be discovered in it which are not yet known; may not this cause feelings which do not exist in a country which has been well explored, and to a certain degree settled, independently of the extent?—Many feelings, no doubt, but not feelings, as it appears to me, which should tend to raise wages.

973. A tendency to raise wages is caused by the unwillingness to work?—Then I recur to the old point. The unwillingness to work seems to me to arise from the facility of obtaining independence, which is an attribute of most wild countries.

974. *Chairman.*] By independence you mean a property in land?—A property in land, and an unwillingness to unite with any other person in working; an unwillingness to work for hire. I use the term "independence" in a bad sense, in the sense of separation.

975. You mean such a property in land as would induce a man not to work for hire?—Yes, not to work in combination with any other man.

976. Mr. *Childers.*] Could you a little explain to the Committee the theory according to which you imagine that those two things which we so seldom see united, namely, a high rate of profits and a high rate of wages, could be united in a colony such as you suppose to be formed on the plan which you have laid down?—I know that the supposed existence of a high rate of profit, and a high rate of wages at the same time, is contrary to the doctrine of a very influential school of political economists, who have said that wages fall as profits rise, and profits fall as wages rise; but I say that the opposite doctrine, that there may be low wages and low profits at the same time, and high wages and high profits at the same time, is not a theory at all: it is a fact. We see here low wages and low profits. We see in the United States of America high wages and high profits. It appears to me that there are far more instances in the world of concurrent low wages and low profits, and concurrent high wages and high profits, than of cases in which wages are high and profits low, or profits high and wages low.

977. Mr. *Roebuck.*] The doctrine of those political economists related rather to the terms. Their statement had reference to what they distinctly call "cost wages;" and when they said that wages were high, and therefore necessarily profits low, they meant to say nothing more than this, that when the labourer got a larger share of the whole produce, it necessarily followed that the capitalist got a smaller; not using the word high wages with reference to the actual quantity which the labourer received, but to the proportionate quantity; was not that the doctrine of those political economists?—Some of them have endeavoured to give that explanation to the doctrine since the doctrine was attacked; but until the doctrine was attacked, they stated, without the least qualification, not merely what I said just now, but they drew from it this most important inference, that the only possible way in which the condition of the bulk of the people in an old country can be improved, is by increasing the quantity of capital. Increase, said they, the quantity of capital; then the competition of capitalists will drive down profits; that, as a matter of course, will raise wages. It appears to me that they have misled

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misled the statesmen of the present day; for they are a very influential school; the statesmen of this country, during the last 20 years, seem to have had for object, with a view to raising the condition of common people, the accumulation of capital. They have thought that the one thing needful was to accumulate more and more of capital. They have forgotten that capital is of no use without a field in which to employ it. The fact is, that capital has so much accumulated in this country that it wants employment, and is obliged to fly off to foreign fields in search of a higher rate of interest than it could obtain here. I cannot help thinking, therefore, that those statesmen have drawn a most erroneous practical conclusion from that error of the political economists which has been explained away by the Honourable Member for Bath.

978. Is not that explanation accurate?—I think it is; it draws a clear distinction between wages in proportion and wages in amount.

979. Then is it not true that, in any country, no matter what the circumstances of that country may be, where the labourers get a larger proportion of the whole produce, that that is a case in which, of necessity, the profits fall, and that the statement of political economists, taken in that sense of the term, is accurate?—No doubt about it. Their statement is perfectly accurate as respects one cause of changes in the rates of profit and wages; but it appears to me to be a cause relating to a question which is of much less importance than the other. The really important question is, What regulates the amount to be divided between the capitalist and the labourer?

980. Does not the situation of the labourer, that is to say, his happiness, much more depend upon the absolute quantity that he receives, and not upon the proportionate quantity which he may receive of the whole produce?—Unquestionably; and that is the very reason why I attach little importance to that doctrine, however true, of proportionate wages.

981. But then if the labourers, as a body, receive a large proportion of all the produce, and that that body be not a numerous body, it of necessity follows, or at least it very nearly necessarily follows, that their situation is a good one?—It might not be; they might receive a very large proportion without receiving a large amount absolutely.

982. And be a very small number?—The question arises, a very small number in proportion to what?

983. The judgment of those political economists was this: that there being a large quantity of capital, the profits of the whole being reduced very much by the competition of capitalists, and the number of labourers very small amongst whom the wages were to be distributed, that then you would have a state of society that would be beneficial to the large body of the community; was not that the statement of that class of political economists?—Unquestionably; that class of political economists contend from that, and probably with great truth, that the labouring class have in their own hands the means of exacting a comfortable rate of wages; but by one means only, by keeping down their numbers.

984. Mr. *Gladstone*.] The state of things described in the last question would produce a high rate of wages, but might it not also co-exist with a high rate of profit; if you suppose that the number of capitalists and the quantity of capital is small in reference to the existence of demand, might there not be a high rate of wages and a high rate of profits together under those circumstances?—I think not under the circumstances supposed, because the chief circumstance supposed is, that the number of labourers is small; that is, small in proportion to the capital. The case supposes a very large quantity of capital competing with itself, which precludes high profits.

985. If you suppose the number of labourers small, not with reference to the capital, but with reference to the demand for the results of that capital, and also the quantity of capital small with reference to the demand and results, then would there not be a high rate of wages and a high rate of profits together?—That is putting a completely different case from that which was put by the Honourable Member for Bath; and it is one in which no doubt there would occur a high rate of wages and a high rate of profits. We have a case in the growing of wool in New South Wales. The demand of Europe very far exceeds the supply: the means of production are unlimited; production is extremely facile; consequently there is a very large produce to be divided between both capitalists and labourers; the one class obtain high wages, and the others obtain high profits at the same time.

986. Mr. *Roebuck.*] That is, absolutely high wages; that is, the wages are high; but it may not be large in the proportion to what the capitalist receives?—No doubt.

987. Mr. *Poulett Scrope.*] Do not you think that the greatest confusion has arisen in political economy from the application of the terms high and low, as applied to the proportion of wages, as defined by Mr. Ricardo and other economists of that school?—Yes, I think so. In that case, as in almost every other, political economy appears to me to be a mass of confusion, in consequence of the want of an alphabet.

988. Mr. *Roebuck.*] A dictionary?—No, an alphabet.

989. Mr. *Childers.*] Have you at all considered whether any effect, and what, would be caused by a sufficient price of land on the interest of money?—I have already stated that the rate of profit would be increased in a colony by putting a sufficient price upon the land; that is, by rendering industry more productive; by increasing the quantity of produce to be divided between the capitalist and the labourer. If the rate of profit were high, it is quite clear that the rate of interest would be so; because money is borrowed for the purpose of being employed in production; and the rate of interest which people are willing to pay, is always in proportion to the rate at which they can make wherewith to pay.

990. Then you will not allow that the sufficient price of land will have any direct effect upon the interest of money in that colony?—No direct, only an indirect effect, through the medium of profits.

991. Mr. *Roebuck.*] Do you not conceive that one of the immediate incidents of your plan of obtaining a sufficient price for land, would be what political economists have denominated rent, in their sense of the term?—Yes, undoubtedly.

992. Meaning by that the surplus beyond what is obtained at the ordinary rate of profits, from the application of money to land?—Meaning by that the surplus over what replaces capital with ordinary profits.

993. In your system of colonization have you ever considered the question of how that surplus should be employed; whether it should be left, as in the ordinary cases of society, in the hands of private individuals, or whether it should be considered the property of the Government?—I have sometimes considered that subject, but not originally. I mean to say I have not formed on it any original ideas; having met with an idea which always struck me as being highly valuable in an article in the Encyclopædia Britannica, by Mr. James Mill, (I believe the article "Colonization,") in which he suggests, that when you are about to found a colony, you have an opportunity of laying the foundation of a system of taxes which shall never in any way interfere with industry; that you have an opportunity of declaring that the whole revenue shall be raised, by either reserving the whole of the rent for the State, or by taking such a portion of it as might be required. He suggests, and it appears to me quite correctly, that, by raising a revenue in that manner, all industrious operations would proceed without the slightest hinderance; that there would be ports without custom-houses, the most perfect freedom of trade, and that every species of taxation would be avoided which in any way checks particular branches of industry, affects particular classes of people, creates jealousies and discontents, or is in other ways injurious to society, though necessary for the purposes of taxation unless a better mode had been devised.

994. Therefore you conceive that the obtaining a revenue from this land, so long as it does not militate against what you have called your system of combinable labour, is a very legitimate object with any government in the distribution of its land?—Unquestionably.

995. If that be so, does it not follow that the sufficient price, that is to say, the price that would be sufficient for obtaining combinable labour having been obtained, you might add a certain sum to that price if it did not militate against the object of combinable labour, very legitimately according to your own system?—I think not. I wish to draw a clear distinction between rent created upon appropriated land and the purchase-money of waste land. I can conceive one price, having for object combinable labour, and a different price, having for object high rent on the appropriated land. It appears to me that you could not increase the price above what would be necessary for combinable labour (your object being to increase rent) without committing a very great injustice. It appears to me that you would, in point of fact, tax the buyers of land in particular. You would make their payment of a higher sum than was necessary for combinable labour, the means of colonial revenue. You would throw, then, upon one class the burthen of creating

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creating that higher taxable rent which would, no doubt, be created by a higher price than what was required for combinable labour.

996. Do you think that you would necessarily throw the burthen upon persons who bought the land? Would not the steps be these: A. buys the land; he gives a certain quantity of money as purchase-money for that land, and then applies other capital to it for the purpose of production. The price that he would receive for that production would be regulated both by the sum which he had given for the land and by the sum of money which he had laid out in the production of the article besides; therefore, would not the purchaser of the article pay the sum which the other had advanced, and thus, not one class of the community be taxed, but the whole?—I think not. What I wish to express is this, that having got at a price which is sufficient for combinable labour, you have reached that price by means of some calculation as to the time during which it would be desirable that labourers should work for hire. If you raised the price above that sum, above what I have always called a sufficient price, then you would condemn the whole class of labourers to a longer term of service. They must work longer, and save more, before they could become land-owners. It appears to me then, that a burthen would be cast upon them in particular, and a very grievous one; that of being kept for a longer term than was necessary in the state of servants.

997. Assuming then that the rent, whatever it may be, is a fund from which the government of the country may derive either some or the whole of the means of satisfying its expenditure, do you not suppose, referring back to a former statement that you made, that if the parties who have to administer that fund are not under the very immediate control of some persons distinctly and directly interested in its distribution, that they may apply it to very improper purposes?—Undoubtedly; just as they might apply to improper purposes a revenue raised by taxes upon importation.

998. Does not that affect the question very much of the locality of the parties who are to distribute the land?—I think hardly. It is a question of good or bad application of a certain revenue; it is not a question as to the creation of a revenue.

999. Has it not happened actually in fact in our colonial system, almost throughout it, that the parties who have had the distribution of land, and who, by these means, have had possession of a certain quantity of money, have really used it for very corrupt purposes?—Yes, about that there can be no sort of doubt; that they have used it for the most corrupt purposes; that the possession of the waste land has been to the colonial governments the possession of a sort of secret service fund, by which they had it in their power to corrupt the colonial legislatures, and to create in the colony a dominant faction adverse generally to the opinions and interests of the great body of the colonists. But I cannot see that for this state of things the locality of the authority has been to blame. In point of fact, the supreme authority has been sometimes in the colony, and sometimes here in England.

1000. Would not such a state of things as that very much militate against the success of the colony; and thereby, in your sense of the term, diminish its attractiveness?—I think it might. I am sure that it would if it took place; but it does not follow from that conviction on my part, that the authority for carrying into effect a plan of colonization for disposing of waste land, ought necessarily to reside on the spot where the land was disposed of.

1001. Ought not a plan for promoting a colony of this sort to contemplate the prevention of those evils?—Unquestionably it ought; as it ought to contemplate the prevention of all evils which have been permitted by authorities resident upon the spot, ever since England began to colonize.

1002. Therefore, to make your system complete, would it not require a system of government as well as of colonization?—I think not; I find an excellent example of well-working in the system of the United States. The colonization of the United States has been altogether separated from the government of the United States. It is a function separated from all other functions, and the operation is confided to a special authority. The supreme authority resides at the centre of government; in Congress. The subordinate authority for the execution of the Act of Congress is also of a central kind. The Board of Waste Lands sits at Washington; it operates by means of other, but still more subordinate authorities, under the control of the chief subordinate authority. That system appears to me to work remarkably well; and it appears to be strictly in accordance with a very remarkable feature, the most remarkable feature of the government of the United States. The most

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most remarkable feature, I think, of the government of the United States, is the very small number of functions performed by the central government; the very great number consequently performed by the local legislatures. The general government of the United States appears never to undertake any functions which can be as well performed by the local authorities. I see it, however, undertake the entire management of colonization and the disposal of waste lands. The system was formerly to let each state dispose of its waste lands. That system was found to work so ill that it was abolished. In order that there might be an uniform practice, a central authority was created, which has in fact established an uniform practice, and against which I have never heard any objection at all.

1003. You have stated that the supreme authority in this case resided in the central or congressional government sitting at Washington; was not that government responsible to the whole people of the United States?—Unquestionably.

1004. Do not you suppose that that responsibility has had very great effect upon its conduct?—No doubt it has.

1005. And that, in fact, they conduct the general system of colonization according to the general interests of the United States, because that government is responsible to the United States?—Yes; because it is strictly a representative government.

1006. In the plan which you have supposed, putting the chief authority, the supreme authority, in the metropolis, only responsible to a certain portion of the whole community, colonies included, do you think that the case which you contemplate is parallel to that now existing in the United States, where the supreme authority is really responsible to the whole community, to be affected by the plan?—Not exactly parallel; because, in the case supposed, a fraction of the people having an interest in the subject would be unrepresented. The colonists would not be represented in the Assembly which constitutes the supreme authority; a fraction would not: there is the only difference. But now, on the other hand, suppose that the colonial legislature were made the supreme authority, and that the conduct of the disposal of waste lands were left to the local legislature; in that case a fraction would have the power of disposing for the whole; the power of legislation for the whole, the whole being deeply interested. If I made out any case at all the other day, it was an imperial case. Then a very small fraction of the whole, such as a legislative assembly in New South Wales, for instance, representing at most 60,000 people (for I suppose the convicts would hardly be represented), would have under their control the disposal of a vast extent of territory, in which the 24,000,000 residing here have the deepest interest. My strongest objection then, to localizing the authority which should dispose of waste land, is, that a very small minority would legislate for the whole.

1007. Do you think that this is really a legitimate objection; you have measured the responsibility simply by the numbers; does not it so happen that the interests of the larger number in this case are individually small, as compared with the interests of the smaller number, whose interests are individually very great; and that the general success of the colony is a matter of much more vital importance to the colony itself than it could be to the inhabitants of the metropolis; and that, therefore, they have a much larger interest to support the system of colonization well, than the greater body which constitutes the metropolis?—I really think not. I cannot imagine in any colony so strong an interest in the good management of colonization, as the existing interest of this country looking at the state of Ireland. In a colony where land is plentiful, whether in excess or not, after the colony is once established, positive starvation hardly ever occurs; but Parliament has evidence, upon the best authority, that there are 2,300,000 people in Ireland in a state of starvation during 32 weeks of the year, dying of hunger, preserved only by begging, and living either upon nothing but potatoes or upon weeds. Here appears to me to be an interest which is beyond any colonial interest that can be imagined.

1008. Are not men more governed by that which they conceive to be their own interest, namely, their own immediate private interest, than by any interest to be derived from the general good; and is it not more likely that a small body of colonists, who would get large increased profits from a good system of colonization, would be more ready to look keenly to the way in which land was disposed of, than the but half-interested larger number of persons residing in the mother country?—I think not. I know that the legislature of this country represents but a portion of the people, that I cannot speak of it as representing the whole of the people; but even within the legislature I find the greatest possible personal interest in a good

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system of colonization. I find Ireland in such a state that there is a fair prospect of the whole rent being eaten up by a mass of paupers; I find a very strong demand, and a growing demand, for the extension of the English poor-law to Ireland; and there is ample evidence before Parliament that if the English poor-law should be extended to Ireland, most of the landlords of Ireland would be ruined. The landlords of Ireland, as well residents as absentees, have a very great influence in the legislature of Britain; I find therefore in the metropolitan legislature the strongest possible personal interest in a good system of colonization.

1009. Do you find that it is an easy matter to make those persons understand what is their own personal interest?—Certainly it has not been an easy matter; but I conceive that the subject has never been properly brought to their notice till on the present occasion.

1010. And in summing up the whole, you conceive that the supreme authority for the distribution of any portion of the colonial lands had better be confided, if it is to be confided only to a fraction of the community, to the metropolis, than to any one of the colonies?—I think that it had better be confided to a great majority rather than to a small minority.

1011. Assuming, as you assume, that the interests of the majority and the minority are identical, and equally potent on both sides?—I have said before that I consider the interest of the majority to preponderate greatly; that the majority of the empire, including the colonies, has a far greater interest in good colonization, than any of the colonies separately.

1012. And you, supposing that we have a thoroughly responsible Government in this country, would say that the supreme control of all matters of colonization ought to reside here?—All matters, no; no matters that could be best conducted by local authority; no matters that did not require a central authority; no matters that did not require uniformity of practice; only those matters which, it is understood, are best performed by a central authority.

1013. Then you would include only the principle upon which colonization should be conducted, but that the distinct application of that principle in each particular case would be best determined by persons who had local knowledge?—No doubt; it could not be well administered at all, either on the spot or elsewhere, except by persons who had local knowledge. But I presume the supreme authority to take the best means for its being administered in the best way; and that, consequently, the persons possessing the most accurate local knowledge, directly or indirectly, would always be charged with the execution of the plan for each colony.

1014. To whom should those local authorities in their whole proceedings be responsible?—Ultimately to the Imperial Legislature.

1015. *Chairman.*] You have supposed in all your answers to the questions which have been put to you by the Honourable Member for Bath, that the system adopted is one which is founded upon the principle of the strictest responsibility to a superior authority, with publicity, and acting upon certain acknowledged principles which cannot be changed except by Act of Parliament?—All those conditions I have repeatedly said I thought essential to success.

1016. You would remove the possibility of any instances of favouritism, of jobbing, or disposing of lands for local and particular purposes in the colonies?—Undoubtedly.

1017. And you would apply the principle which you conceive to be equally conducive to the interests of the colonies and of the mother country?—I think more conducive to the interests of the mother country than of the colony; but very greatly conducive to the interests of the colony; that is, highly calculated to improve the condition of every colony to which the system was applied.

1018. And one of your reasons for wishing the management of this system to be vested in an authority here, is the necessity of directing upon each colony a stream of emigration which could hardly be done by a system of colonial legislation?—There appears to me to be a parallel case in the present state of the English poor-law. One object of the recent reform in the English poor-law, was to get rid of all irregularities, and all sorts of contradictions in the systems of the different parishes, and to establish an uniform system founded upon a clearly defined principle. At once, that being the object, a central authority was indispensable. That authority was called at the time, by people who had not reflected at all upon the subject, "the bashaw divan," and "the Turkish central system," and by a number of nicknames of that sort; but it was essentially one of those cases which require central authority. Just like the post-office, imagine for a moment

moment a system of postage conducted by a great number of different authorities; what a confusion would there be—what an impossibility would there be of arranging the rates of postage and the course of the mail! The vast expenditure that would take place in that case, is one strong objection to it. This appears to me to be one of those cases which require a central authority. The end is the advantage of the whole empire; two of the most important means are uniformity in the practice, and very great care in the distribution of the labourers amongst the several colonies, so that the supply should never be more or less than the demand. None but a central authority would be able to conduct the operation.

1019. Mr. *Roebuck.*] Then do you attribute all the favouritism, jobbing, and corruption, which you yourself acknowledged to have existed in the colonizing system of England, to ignorance, or to an absence of responsibility?—Partly, no doubt, to the ignorance of those who had power over the lands, but chiefly to the fact that the Legislature of Great Britain has been responsible to a very small number of people indeed; and that in truth those who possessed the power in our Legislature, previous to the passing of the Reform Bill, did consult their own interest when they jobbed, favoured, and played tricks with the land.

1020. And therefore it does seem to you a thing likely to happen, that if there be not a government responsible to the community at large in this country, all sorts of mischief, jobbing, and corruption will take place in this matter of colonization? —As in every other case where the supreme legislature represents only a small fraction, but that is no longer the case in this country.

1021. Mr. *Gladstone.*] In accounting for the favouritism which it is your opinion has prevailed in the disposal of colonial lands, are not you inclined to attribute it to this cause, that until of late years the importance of those lands for the surplus population of this country, has not been so severely felt?—I think so; I think that the British community, careless about the administration of colonial lands, has allowed a small number of persons to do as they pleased, to consult their own interest rather than the interest of the community.

1022. And that the feelings which are now entertained arise partly from an increasing view of the importance of our colonial lands?—Certainly; it appears to me that it is only by establishing a strong imperial interest, that you establish a case for central authority.

1023. Mr. *Roebuck.*] You have just informed the Committee that the English community were careless about the disposal of colonial lands; were they not so careless when it was their real interest to be anything but careless about them?—Undoubtedly they were; it is only of late years, since this subject has been pressed upon public notice, that any colony ever imagined that it possessed what was worth taking care of in its extensive wastes.

1024. How long has the central authority for the disposal of land been established in the United States of America?—Fifty years.

1025. When was it that your peculiar doctrines on colonization were first broached?—In 1830.

1026. Was there no feeling of interest in the United States respecting the administration of their lands till 1830?—Yes, there was.

1027. That is to say, that there was that interest which just now, in one of your answers, you have stated did not exist till quite recently?—There was in the United States some interest felt undoubtedly, because an uniform legislation was adopted with respect to the disposal of land; but I have very often said that I believe that legislation was adopted without any sense at all of the useful purposes to which the waste land might be turned; and that when the United States adopted some plan, their chief object was the raising some revenue by means of the sales of land.

1028. Are you aware of the very great interest that the colonists took respecting their waste land, as shown by the quarrels that arose in the State of Virginia, respecting the application of their waste lands to the State of Kentucky, it being very nearly the cause of a war?—I am not aware of that case; but I see that, for a great number of years, lands in the colonies have been disposed of with consequences the most injurious to the colonies. I see that complaints upon that subject are quite recent; and I am not aware of a single case in which a colony has pointed out to the mother country any useful purpose that might be served by the best possible administration of the waste lands.

1029. All the while the lands of the colonies being administered by the metropolis?—Being administered by the metropolis, subject to a certain quantity of responsibility to opinion in the colony.

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1030. Solely to opinion?—In the West Indies certainly not; subject there to a great deal of responsibility to the colonial legislatures; that is, subject to a great deal of responsibility in all colonies founded by England. All colonies founded by England, except New South Wales and Van Diemen's Land, which I do not call colonies, and the Swan River, carried with them from England local self-government. The colonies in which local self-government has not been established, the Crown colonies, are all conquered or foreign colonies. Therefore I say that in the case of all English colonies which were founded before we had a colonial-office, we always allowed those colonies to govern themselves in matters relating to their own local affairs, and in which we were not interested. In all those colonies the authorities administering the disposal of waste land, have been subject to a great deal of local responsibility.

1031. Take the case of Nova Scotia as a matter of illustration; to what authority there are the functionaries who administer the lands subject in the colony?—I am not able to state, from ignorance of the peculiar nature of the constitution of Nova Scotia.

1032. Then as far as Nova Scotia is concerned, you cannot say whether they are subject to any portion of the legislature?—I am not aware how Nova Scotia was founded.

1034. At present Nova Scotia has a local legislature; can you say whether the authorities administer the lands subject to that local legislature?—No; I am ignorant upon the subject.

1034. Therefore when you drew a general conclusion respecting the colonies, you drew it without a knowledge of Nova Scotia?—Nova Scotia may be an exception; but the conclusion was formed after a great deal of inquiry respecting the extension of the Saxon institution of local self-government to all colonies, as I thought, and still think, which were founded by the Anglo-Saxon race.

1035. But you are aware that the situation of Nova Scotia at this moment, is the situation of what are now called the North American colonies?—Yes; I consider the North American colonies, the greater portion of them, as conquered colonies—colonies obtained by conquest.

1036. But they have local legislatures?—Such as they are; not such as the English always gave to their colonies before the establishment of a colonial office. The conquered colonies, when they have a local legislature, have nominal local self-government, not real.

1037. Then your answer applied to those colonies which were established previous to the existence of the colonial office, and which colonies you say had the power over the application of land; but your answer does not apply to colonies now existing which have local legislatures, and about which you do not know whether they have power over the disposal of lands or not?—It does not apply to those colonies.

1038. And you draw the conclusion which you have drawn from your knowledge and your inquiries respecting the mode in which lands were distributed by the colonies, which you say had the power of distributing them?—Yes; I draw the conclusion from circumstances in which the colony having the power over the disposal of waste lands, employed that power, as it appears to me, in the worst possible way.

1039. From ignorance?—Not always perhaps from ignorance; but this would lead into an inquiry as to the nature of the different governments. Some of the local governments of the old colonies were far more democratic than others. Some of them were most strictly despotic, though strictly local. Under a despotic government the interest of a very few people always preponderates over that of a great many; and it may have happened from the worst possible motives, that the legislatures, being exceedingly narrow, representing but a small class, consulted their own interests.

1040. But in those cases in which there was a responsible government, and which mal-administered the lands, we may suppose that it was more from ignorance than anything else?—Yes.

1041. Mr. *Poulett Scrope.*] To descend from generals to particulars, you stated in a former part of your examination, that the power of fixing the price of waste lands should be exclusively confined to a metropolitan authority?—Subject to a power of delegation to the local authority.

1042. The delegation of a discretionary power to alter the fixed price?—A delegation of authority similar to that which is established by the new poor law.

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Whatever the power of the Commissioners in London, they are authorised by the Act to delegate their power to sub-commissioners for the purpose of local action.

1043. But the assistant commissioners of poor laws are almost in constant daily communication with the central office, which would be matter of impossibility for your local commissioners placed in Australia?—Undoubtedly there is a physical impossibility for their communicating almost every day. They might, however, write every day. Still, considerable intervals would naturally elapse between the days when they should write.

1044. Would not the distance of the central authority from the delegates considerably diminish the check that the central authority could exercise over the assistant commissioners?—It would naturally diminish it; but the question is, would it so injuriously diminish it as to render the system bad? I think certainly not.

1045. You speak of rent of land in the colonies as forming a fund which the Government might appropriate to general purposes, coinciding in that opinion with the opinion of Mr. Mill; do you mean that it would be desirable for the Government to appropriate the entire rent, or merely a portion of it?—Either a part or the whole. If they could not obtain a sufficient revenue without appropriating the whole, in forming a new colony, where no vested interest could be hurt, it appears to me that they would do well to appropriate the whole in case of need. It is no more than proposing that they should do that which is done in some oriental countries, where the state is the universal landlord.

1046. You defined rent as the surplus over the replacement of the capital employed with profit; how would you, or how would you have future governments, distinguish between that which is ordinarily called the rent, namely, the sum which the owner of the land can obtain for the use of his land, and that portion which arises from the expenditure of capital upon it, and which you would therefore not consider amenable to a tax from the other portion, which, as not being the interest of capital, you think might be appropriated to government?—There is no doubt that considerable difficulty would arise in drawing that distinction, as in all other human affairs. No mode of taxation which has yet been proposed, is absolutely perfect. But with all these difficulties, such as they are, I look upon that plan as being preferable to those modes of taxation which operate as a check upon industry.

1047. Is it not the fact, that in an old country a very large proportion, if not the whole of what is ordinarily called rent, arises from the past expenditure of capital in its fertilization and improvement?—No, I think not. I think that a great portion of rent is the payment for natural fertility and for superiority of position.

1048. But you do not see practically any means of arriving at a distinction between those two portions of rent?—Not with the utmost precision; nor does it appear to me necessary, for I see taxes upon rent levied in this country without any complaint of the want of distinction between that which arises from expenditure on land, and that portion which arises from superiority by nature and position.

1049. Do not you think that it would greatly discourage the improvement of land if its proprietor was to be informed that the whole surplus of his produce, beyond the average profits upon the capital he may expend in improving it, was to be considered as a fund which the State might appropriate at its pleasure to any extent?—I am not supposing that case. The case supposes that the State would, at the foundation of the colony, before the land was appropriated, have fixed that either the whole, or some proportion, of the rental should always belong to the State. I am not supposing the case of any change, or any uncertainty in the mind of the capitalist.

1050. But if the whole surplus produce, or rent, is to be made available for the purposes of Government, if Government should so choose, the capitalist who is about to expend his capital in the improvement of land is in this predicament, is he not, that he knows that all beyond the average profits of capital may be taken from him; and would not this knowledge tend greatly to discourage the improvement of land?—I think not. All farmers in England know that everything beyond the ordinary profits of capital will be taken from them; and it does not discourage cultivation. Whether the landlord took it, or the State, would have no great influence upon the mind of the farmer.

1051. To take your illustration as you give it; is it not a well-known fact that the farmer, to be tempted to improve, must have an enduring lease, and not be liable to have the surplus produce of his capital taken possession of by the landlord?—Certainly; but he has an enduring lease. We have the case of farms belonging to the

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the Crown, which are let by the side of farms which belong to a nobleman. The farmer on the State farm, farms just as well as the farmer on the nobleman's farm. It matters not to the farmer to whom he has to pay his rent. In every case he has to pay something. If he can make profit after paying rent, he will be ready to pay rent; and whether he pay rent to an individual or to the State will be of no consequence at all to him, economically speaking.

1052. But, however, the practice of all civilized nations has been to allow the owner and improver of land the full returns of its produce, with the exception of a slight land-tax which has been imposed?—There are vast countries in the east which were highly civilized when this country was in a state of utter barbarism, in which the whole of the land belonged to the state.

1053. Are you aware that, in those countries to which you refer, it has been always, from time immemorial, the law, that the person who improved and brought first into cultivation a tract of land, should become the owner of it?—No, I am not.

1054. Mr. *Gladstone.*] From the course of your examination, I infer that you consider it desirable that land should not be broken up into very minute portions, or confined, on the other hand, to very large masses; have you thought at all upon the limits within which it would be most desirable that it should range?—I have not; because I hold an opinion (it may not be a correct one) that, generally speaking, the interest of the settlers would be not to take small portions. I only see people take small portions of land in case either of a law which commands it, or of a very great excess of people in proportion to land. In Ireland I see that the excess of people forces them to live upon what I called the other day, "pocket handkerchiefs" of land; just as much as will support one family. In France I see a law to compel the division of land, by compelling every man to divide his property, or rather by insisting that, upon his death, the landed property shall be divided equally among his children.

1055. Mr. *Roebuck.*] Or the value of it?—If they can make an arrangement; not without an arrangement; it must be voluntarily; the law says, divide the land into as many portions as there are children; but one of them may have a larger share. In Ireland the absolute necessity of the people, from their excessive numbers, either of having land or dying, forces them to put up with a small piece of land; and this reminds me of so very striking an illustration of the advantages of combination of labour, that I cannot help alluding to it. The raising of the agricultural produce of France is supposed to occupy more than two-thirds of the people. The same thing occurs in Ireland; more than two-thirds, perhaps nearly three-fourths of the people are engaged in raising the agricultural produce of that country. In England, on the contrary, the whole agricultural produce is raised by the labour of less than one-third. The agricultural labour of England, where labour is combined, is more than twice as productive as the agricultural labour of France or Ireland, where labour is greatly divided. That is my illustration. But to return to the question just asked, it has appeared to me so unlikely that in any colony except the West Indies, where you have to deal with a peculiar state of society and a peculiar set of men; that in any colony planted by civilized people, who were sufficiently incited by a desire to move from what was worse to something better, there would be no tendency to obtain those small quantities of land which would be injurious; but the West Indies form an exception.

1056. In speaking of the settlements of English colonies in North America, you drew a comparison between Massachusetts and the other States to the advantage of Massachusetts; how does that bear upon your theory of combinable labour?—Massachusetts was the most prosperous of the early English colonies in America; the one which suffered the least disasters. But Massachusetts was founded by a very peculiar community; by a religious sect who, in their petition for a charter, after they had established their colony (for they established it without a charter), stated that it was part of their religion to help each other; that they were different from other men; that they were bound by their religious faith, by their hope of reward hereafter, to help each other in this world. They stated this in their petition; and they did help each other in various ways. There was a sort of community of goods amongst them so long as community of goods appeared most desirable; and it existed till they built many houses. They all helped to build each house; they helped each other in building many houses; and, above all, they in the first place made a law, by which no one was permitted to settle at a greater

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a greater distance than half a mile from the meeting-house, which necessarily kept them together. And then, as was correctly observed by the Honourable Member for Thetford, they had from the beginning complete local self-government, which enabled them to make laws for preventing the great tracts which had been appropriated from being left in a desert state. They seized upon tracts which had been appropriated, and disposed of them again, subject to many conditions for cultivation, which they, being kept together by their religion and by their laws, were enabled to watch the fulfilment of.

1057. Do you conceive that practically, in that instance, labour was combined from the causes you have related?—Yes, I have no doubt of it. Throughout the early history of Massachusetts it appears that, upon all occasions, when combinable labour was wanted, it was procurable; not by hire, but in the same way as that in which it has existed in the United States amongst the religious society of Rappists. The Rappists settled in the waste, but were bound together by a strong religious tie. They did labour together, and the consequence was, that the single habitation of Rappists in that desert part of America, really formed the manufacturing town of the district.

1058. The Shakers in the north are another example?—Yes, they are; but not so strong a one as that of the Rappists.

1059. What other state of the English colonies in North America would you select to contrast with Massachusetts in respect to this combinable labour, as showing the opposite circumstances?—The first case is the worst in its results; but the evidence of its first results is not before us, for three colonies perished, one after the other, on the same spot; disappeared entirely. We have no record of their existence, except that the next colony found some human bones. That is the case of Virginia; and I think the Virginian case in which the colony did not perish, the last case, is full of evidence tending to show that the long disasters of the colony, which endured for 40 years, till slaves were obtained, were owing almost entirely to the breaking up of the society into a great number of independent and isolated fractions.

1060. Do you anticipate, in any case where your system of colonization was adopted, that the taxation of the infant settlement would be heavy for the first few years, relatively to the number of people and their means of livelihood, adverting to the circumstance, that more would be required in providing for local improvements and public buildings, and the advantage of the colony generally?—If the society were, in point of fact, not what is called a new country, but an extension of an old country in a new place, more taxes would be required, because the people would be in a state to want more objects for the attainment of which taxes are useful; but it does not follow that the burden of taxation would be greater. With greater taxes, the burden of taxation might be less. For instance, I put a case the other day, What would have been the effect of a selection of emigrants in New South Wales, supposing that the emigrants had been selected during the last 50 years, and that instead of 50,000 in New South Wales, there had been 500,000 people? In that case there might have been a much smaller burden of taxation with a much greater revenue. And this brings me to the influence of combinable labour upon the burden of taxation. If the produce were so much greater in proportion to the number of hands employed, in consequence of the combination of labour, the taxation might be a great deal larger with a much slighter burden.

1061. Then are the Committee to understand, that it is your opinion that if matters were properly conducted, and if the colony were prosperous, the burden of taxation need never be heavy, even in the commencement of the colony, when everything is initiated?—It appears to me that it never need be heavy; and, moreover, that by adopting this system of colonization generally, you would provide the means of defraying the whole expenses of our colonial government, without coming upon the mother country for anything at all. In the case of South Australia, the Act of Parliament declares, that the colony never shall be a burthen to the mother country; that it shall provide the whole of its own expenses from the beginning. The commissioners, therefore, had to raise a sum of money, under the authority in the Act, for establishing the colony and governing it. They went into the market; they went, having an Act of Parliament, having a plan and system fixed, and they had no difficulty in raising the requisite funds; and they have raised the requisite funds for the establishment of the colony. That shows that the existence of an Act of Parliament and of system, will induce persons here to advance the means requisite for colonial government.

 1062. And

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1062. And you are decidedly of opinion that it is not advisable that any of those expenses of government should be defrayed out of the land fund?—I am very decidedly of that opinion, for all the reasons which I stated the other day.

1063. Mr. *Scott.*] You have said that the principal difficulty in colonizing a new country is the tendency of all new settlers to disperse; do you think that the present plan which you are contemplating is likely to check that to any extent; the sale of the Crown lands at an upset price?—I think in some cases it is likely to encourage dispersion in the sense in which I use the word. It is likely to induce settlers to go to a very great distance from the seat of government, because they would be able to take with them to that distant spot a mass of combinable labour to be used. Therefore, the system may tend to spread the people over a great extent of country; but I believe that they would not be spread in fractions; that, though spread in patches, there would be, in each patch, a sufficient number of hands to obtain a great surplus produce; and that thus all the benefits of combinable labour would be retained, though the colony should be considerably dispersed in the ordinary sense of the word.

1064. Mr. *Poulett Scrope.*] Is it not the fact, that in the back settlements of the United States of America, there is an ample supply at present of combinable labour, wages and profits are both high, taxes very light, and all this combined with a price a little exceeding 5 *s.* an acre? If to all those favourable circumstances you were to add the adoption of two of the principles which you have advocated, namely, the appropriation of all the proceeds of the sale of land to the introduction of the emigrant labourers, and the selection of those emigrants upon the best principles, can you conceive a state of society in any colony more likely to be rapidly progressive and prosperous than that country would exhibit?—No doubt it is highly progressive and prosperous already; but it is subject to a very great evil, to the great evil of slavery. I do not think that there does exist in the back settlements of America an ample supply of combinable labour. On the contrary, I see a premium for the existence of 2,000,000 of slaves, valued at 120,000,000 *l.* sterling. If the price of waste land in the western States of America were raised up to that point which I have called sufficient, then I should answer the question of the Honourable Member in the affirmative.

1065. And you cannot give the Committee any idea of the sum to which that price ought to be raised to become a sufficient price?—I could give my opinion; but the Committee have been hitherto good enough to excuse me from giving an opinion upon the subject, seeing that my knowledge of the subject was not local, and that I was not to be held responsible.

Colonel *Torrens*, called in; and Examined.

Colonel *Torrens.*

1066. *Chairman.*] Are you chairman of the commission appointed under the Act of Parliament for creating South Australia into a British province?—Yes, and I wish to take this opportunity, with the permission of the Committee, to make an explanation with respect to what fell from the last witness, when he alluded to a certain correspondence which took place between the Colonial office and the colonization commissioners. The witness seemed to be aware of the contents of a letter addressed by the Colonial office to the commissioners, and it might naturally be asked by the Committee how he became acquainted with that correspondence; whether the colonization commissioners acted with any indiscretion in disclosing that which might be said to be confidential? To that I say, that the letter in question was not confidential, but public, and the commissioners were expressly directed by the Colonial office to communicate it, and therefore it became public.

1067. Sir *George Grey.*] Has there been any confidential communication between the South Australian Commissioners and the Colonial office?—I should suppose that every letter coming from the Colonial office to the commissioners is so far confidential that they ought not to make it public.

1068. Has not the correspondence stood upon the ordinary footing of official correspondence not marked "confidential?"—Certainly.

1069. *Chairman.*] It has been stated by the former witness, to whose evidence you have referred, that a wish was evinced on the part of the Colonial office to change the provisions of the Act by which that colony was founded?—There was.

1070. Did any correspondence upon that subject take place?—Yes.

1071. Have

1071. Have you that correspondence with you?—I have not.

1072. But you can submit it to the Committee?—I can submit that part which was objectionable in the opinion of the commissioners. It was recommended by Lord Glenelg, that that portion of the Act of Parliament which required that the whole of the fund obtained by the sale of land should be appropriated for emigration, should be repealed, and that the Lords of the Treasury should have it in their power to appropriate what portion of the land fund they pleased to the general purposes of the colonial government; and as the proposed alteration of the Act went to change the conditions upon which land had been purchased and bargains made, the commissioners were required by Sir George Grey's letter to give an express written notice to all the persons to whom they had sold land, of the intention of His Majesty's government to alter the Act of Parliament. It was in consequence of our making the communications which we were directed to make, that the substance of the correspondence was disclosed. It excited in the minds of the colonists a very angry feeling; they were very indignant, and complained through the public press. The commissioners represented the case to the Colonial office, and the intention to alter the Act of Parliament so as to invade the emigration fund was withdrawn.

1073. The commissioners considered that invading the emigration fund would have been a breach of the contract upon which the whole colony was founded, that contract being that the land fund should be appropriated to emigration?—Certainly.

1074. You can produce the correspondence probably at the next meeting of the Committee?—Certainly.

1075. Will you state to the Committee the provisions of the Act under which you are acting as a commissioner?—The Act provides that the commissioners shall in the first place raise a loan of 20,000*l.* for the purpose of indemnifying the government against any possible contingency of expense falling upon the mother country. The Act also provides that before the colony is allowed to be established the commissioners shall sell land to the amount of 35,000*l.* The main and cardinal principle of the Act is, that the whole sum obtained by the sale of land shall be applied without deduction to taking out selected emigrants in an equal proportion of the sexes, and between the ages of 15 and 30. The commissioners have the power of determining what the price of land shall be, provided they never make it lower than 12*s.* an acre.

1076. Sir *George Grey*.] Is any particular class of emigrants specified?—Yes; the emigrants are to be an equal number of the sexes, and of an age from 15 to 30.

1077. Must they be natives of Great Britain?—This appears to be the intention of the Act.

1078. What is the expression in the Act?—I cannot state the precise words. It means poor emigrants from the United Kingdom of equal number of sexes, and between the ages of 15 and 30.

1079. *Chairman*.] To what extent have the colonization commissioners succeeded in carrying those provisions into effect.—The colonization commissioners in pursuance of the Act have raised a loan of 30,000*l.* upon the security of future revenue, to be raised in the colony at the rate of 10 per cent. They have sold 437 lots of land, each lot consisting of 134 acres of country land and one acre of town land. They have also sold 20 other lots of land consisting of 80 acres each. The whole has been sold at the rate of 12*s.* an acre.

1080. Mr. *Childers*.] How do the lots come to 134 acres?—The lots were originally divided into 80 acres, and we intended to sell the land at 1*l.* per acre, which we thought a better price than 12*s.* But considerable delay took place in selling the land at 1*l.* an acre, to the amount required by the Act, and as a public company with a large amount of capital applicable to the improvement of the colony offered to purchase the whole quantity of land remaining unsold, provided we reduced the price from 1*l.* to 12*s.*, we accepted their offer, and reduced the price accordingly. In consequence of this, the lot which was originally 80 acres of country land and one acre of town land was increased to 134 acres of country land and one acre of town land, in order that the price of the whole might be adjusted to 12*s.* an acre. On the reduction of price, those persons who had paid their deposits upon the pound per acre, were entitled either to have the difference returned to them, or to have the lot extended to make it at the rate of 12*s.* per acre.

 1081. *Chairman*.]

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1081. *Chairman.*] What is the situation and quality of the land which you have sold for 12*s.* an acre?—The situation of the lots purchased is wholly unknown; the coast has been but imperfectly surveyed; the site of the first town is not yet fixed, therefore we have in fact sold orders for land in an unexplored forest. The general character of the soil in that neighbourhood appears from the survey of Captain Sturt to be highly favourable, but the location of the first town is really at present undetermined.

1082. Can you explain to the Committee the considerations which have induced purchasers to give 12*s.* an acre for unexplored land in unknown situations, and in a colony not yet founded, when the minimum price of land in the neighbouring colony of New South Wales is 5*s.* an acre?—There are many reasons, I think, which induced the purchasers of land to give 12*s.* an acre for this land in an unknown forest. In the first place, they not only bought the land, but they had an Act of Parliament guaranteeing to them, that in buying the land they would also buy that quantity of combinable labour which the price of the land would be sufficient to take out for them. That is one reason. Another reason was, that they knew that the first belt of land near the settled district, and near the principal town, must be considerably higher in price, and in value, than belts exterior to that first belt; and they knew that by Act of Parliament the most exterior belt must fetch a price equivalent to 12*s.* an acre. This was the same thing as knowing that the land for which they paid 12*s.* per acre would be worth more than 12*s.* per acre. In point of fact, a great rise of price has already been realized; the land in those interior belts, which the first purchasers obtained for 12*s.* an acre, is now selling in the market commonly at an increase of 50 per cent.; it has already fetched very nearly 1*l.* an acre in the market.

1083. Mr. *Poulett Scrope.*] Is there not this additional reason, that into the new settlement convicts are not to be admitted, which would be a very strong reason for their giving a price in South Australia for land beyond what they would otherwise give?—That is probably a moral reason why that land should be more valuable.

1084. *Chairman.*] Have you considered what would be the effect upon the colony of reducing the price of land below 12*s.* an acre?—I should think now that the Act of Parliament has passed, and that persons have been induced to give 12*s.* an acre for the land, that any lowering of the price below 12*s.* an acre by Act of Parliament or otherwise would be a breach of faith with those who have purchased at 12*s.* an acre; for if you were to make the minimum price of the neighbouring land, say 5*s.* an acre, and it could be had for 5*s.* per acre, then the price of the land for which the first purchasers had given 12*s.* an acre would be brought down below 12*s.*, and those who had purchased at 12*s.* per acre, instead of gaining the advantage which they had expected to gain, would probably suffer a severe loss. In addition to that, I believe every man who has calculated the cost of passage to the new colony would say that 12*s.* an acre is not sufficient to take out the quantity of labour requisite to cultivate the land to the best advantage. Now 12*s.* not being adequate to that purpose, if the price were lowered it would be still more inadequate, the prospects of the colony would be diminished, and it would be likely to fall into a state similar to that into which the Swan River settlement has fallen.

1085. Where do you conceive that the power of determining the price of waste land in the colonies should reside?—I think it should reside in a central power in the metropolis, and I think so for these reasons. In the first place, it may be considered as a somewhat nice and difficult point to determine what the price of waste land in a colony should be; to determine this point correctly requires a great deal of intelligence, a good deal of a particular direction of the mind to the consideration of economical questions. I think it is much more likely that persons possessed of the requisite qualifications should be found in this country than in the colonies; for instance, I think it is much more likely that competent persons to take such a charge could be found in London than could be found in Sidney, New South Wales; that is one reason. I agree entirely also with what the former witness has said upon this part of the subject. I have an additional reason to urge, which seems to have been omitted by him: if there were a representative legislative assembly in New South Wales, and if in that assembly the landed proprietors of the colony had a preponderating influence, they would probably render the price of land very high, because, by so doing, the land which they had in their possession would acquire a great additional value. They might in fact create a high artificial rent in that new country, by raising the price of waste land very high; and they would have the

same

same motives to raise the price too high, that now induces the landed proprietors of England to exclude foreign raw produce from this country. On the other hand, if the labouring class had a preponderating influence in the local legislature, they would probably have an inclination to reduce the price of waste land too much. Hence, whether the landed proprietors or the populace had a preponderating voice in the colonial assembly, I think that, in either case, the happy mean would not be hit, and that the price of land would be fixed with a reference not to general but to partial interests.

1086. Mr. *Gladstone.*] Does it strike you that there might also be an unfavourable effect from some such cause as this, from a desire to create a monopoly in the labour market by preventing the importation of labourers, if the labouring class preponderated in the legislature?—Yes, they might wish to have labour scarce and land cheap, which would, in the first instance, appear to be beneficial to them, though ultimately most injurious to them.

1087. By having land cheap they would also obtain the further object of restricting the emigration fund and narrowing the supply of labour?—Yes.

1088. *Chairman.*] You conceive, in the management of the fund for the purpose connected with emigration, it would be essential that the central authority should reside here, at a distance from the colony?—I think so.

1089. Have the colonization commissioners, exercising this central authority, raised the price of land in the colony from 12 *s.* to 1 *l.* an acre, and have they empowered their representative in the colony to raise the price to 2 *l.* an acre, under certain circumstances?—Yes.

1090. Will you state to the Committee the grounds which have induced the commissioners to raise the price of land in the new colony already?—The commissioners, in the first place, determined to sell the first lots of land at the rate of 1 *l.* an acre, and they had sold about one-third of the quantity required at that rate; but the land was then selling slowly, and in order to get the whole sold at once they lowered the price to 12 *s.* an acre. It was necessary by the provisions of the Act that they should sell land to the amount of 35,000 *l.* before the colony could be established. They could not proceed with the colony until they had sold land to this amount, and the purchasers of one-third of the quantity, who had then paid 25 per cent. upon their purchase-money, and who had disposed of their properties to go out, were waiting in anxious expectation and wasting their capital, while the establishment of the colony was thus delayed. Under these circumstances it was thought desirable by the commissioners to get the requisite quantity of land sold with as little loss of time as possible; and in order to effect that object they reduced the price to 12 *s.*; but having accomplished that object, they then reverted to what they conceived to be a better price, namely, 1 *l.* an acre, and accordingly determined that, after the 1st of March last, the waste lands of the new colony should not be sold under 1 *l.* an acre. Now I have to state to the Committee the reasons which induced the commissioners, after a great deal of deliberation, to give to their representative in the colony a power, under certain circumstances, of raising the price of land from 1 *l.* to 2 *l.* an acre.

1091. What quantity of land have you sold, or have you sold any at the price of 1 *l.* per acre?—We had sold about 10,000 *l.* worth of land at 1 *l.* an acre, but we have sold none since we reduced the price to 12 *s.*; we have, to a certain extent, glutted the market at present.

1092. You mean that you had sold about 10,000 *l.* worth at 1 *l.* an acre, which price was afterwards reduced to 12 *s.*?—Yes, the purchasers at 1 *l.* had 134 acres given them instead of 80 acres.

1093. You have in point of fact sold none at 1 *l.* in *bonâ fide* sale?—There was a *bonâ fide* sale at 1 *l.*, but the commissioners lowered the price to those people who were very willing to give 1 *l.* an acre; a great many persons who had bought at 1 *l.* an acre thought we were doing wrong in reducing the price to 12 *s.* an acre. There had been several bidders who had come to the Australia Office for the purpose of buying land at 1 *l.* per acre, but certain persons in London had bought at 12 *s.* an acre as a speculation to sell again; they have sold land at a little below 1 *l.* an acre to those new purchasers.

1094. Then what reason have you to think now that the price of 2 *l.* an acre can be applied at all to the colony, as long as there remains any of this land which has been sold at 12 *s.* an acre in the market?—That land which has been sold to speculators in the market at 12 *s.* an acre, is now very nearly absorbed; there are very few lots to be had, and they are now approaching very nearly to 1 *l.* an acre.

 1095. You

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1095. You conceive it possible from this that the price may rise in a short time to 2 *l.*, and you have given an authority to your representative in the colony to raise the price?—Yes.

1096. Will you state your reasons for supposing that it may rise to 2 *l.* an acre?—I believe that 1 *l.* an acre will not carry out that quantity of labour which is necessary to cultivate the land already sold in the most effectual manner; and I think it very likely that if fresh land could be obtained for 1 *l.* per acre, the labourers would leave the employers and cease to work for wages before the period at which other labourers could be sent out from England to take their places. Should this be the case, the capitalist would be left without a sufficient supply of labour, industry would be interrupted, and the prosperity of the colony would be arrested; therefore the colonization commissioners have given to their representative in the colony the power of raising the price of land from 1 *l.* to 2 *l.*, if he should find that the emigrants who have been sent out to cultivate the land as hired labourers, are leaving the employers and taking small plots of land to work upon their own account, before other labourers can be sent out to supply their places and to work for wages.

1097. Do you see any reason to apprehend that the high price that you demand for waste land in the new colony will have the effect of rendering the profits of capital lower in South Australia than in the neighbouring colonies, where land is to be obtained at a lower price?—I think not; I think that if we could place Bishop Barclay's wall of brass round this colony, and prevent the labourers from being enticed by the cheaper price of land in the other colonies, that the high price that we have put upon land would cause the profits of capital to be much higher in the new than in the other colonies. The reasons why I hold this opinion are these: In the first place it is stated by Dr. Laing, and by others who have written upon the colonies of New South Wales and Van Diemen's Land, that convict labour is only one-third as productive as free labour. If the statements of those authors who are experienced in the actual operation of convict labour be true, the productive power of labour in the new colony will be three times greater than its productive power in New South Wales. Now, in a country where there can be little or no rent, the whole of the produce of the soil is necessarily divided between profits and wages; and if labour be very much more productive in the new colony than in the old colony, it is quite certain that in that case either profits or wages must be very considerably higher in the new colony than they are in the other colonies. If wages are not very greatly higher in the new than in the other colonies, then profits must be much higher; the probability, however, is that both wages and profits would be higher in the new colony than in the others.

1098. You have no reason to conceive, then, that the high price of land may render the wages of labour lower in the new colony than in New South Wales?—No. The same reasons that induce me to think that the profits of capital will be higher in the new colony than in the old, also induce me to think that wages will be higher. By providing the colony with a sufficient supply of hired labour we shall produce this effect; we shall place upon every given portion of land that quantity of labour which will raise the greatest quantity of produce in proportion to the number of the hands employed. Now if you increase the quantity of produce in proportion to the number of hands employed, you necessarily enable the landlord who employs those labourers to give them higher wages than he would otherwise be able to give them. Under any given rate of profit the amount of the wages of labour will be determined by the value of the products of labour. Hence, other circumstances being the same, increasing the quantity of produce in proportion to the number of hands by whom that produce is raised, is the same thing as increasing wages.

1099. You of course have considered the principles which should guide the commissioners in determining a sufficient price of land in the new colony?—I have.

1100. And you think that the limits which you have adopted between 12 *s.* and 2 *l.* will give what has been termed by the last witness a sufficient price of land to produce the best results?—I do not say that.

1101. You conceive that it will do that at the outset?—I am not sure. When I say that I have considered the principles which should determine us in fixing a sufficient price of land, I have considered the general principles, but I am not prepared to state the circumstances which in any particular case should limit the application of those principles.

1102. Will

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1102. Will you state the principles?—The leading principle is to place and to retain upon any given tract of land that quantity of labour which will cause the greatest quantity of produce in proportion to the hands employed. Now I will assume, for the sake of illustration, that three able-bodied men to 100 acres of land is the quantity of labour which yields the greatest produce in proportion to the hands employed. In this case the price of 100 acres ought to be that price which would take three able-bodied men and their wives, making six persons. The price should be regulated by the cost of taking six adult persons from this country to South Australia. Thus the first element on determining the price of waste land is the cost of conveying to the colony the proper quantity of labour. But there is another element, namely, the actual amount of wages. The labourers taken out should remain as hired labourers until other labourers arrive to supply their places in the labour market. To effect this the price of waste land should be higher in a colony in which wages are high, than in one in which wages are low. When experience has shown how many labourers the capitalist desires to employ upon a given extent of land, the cost of conveying this quantity of labour to the colony, and the customary rate of wages, then, but not before, we shall be able to determine the proper price to be demanded for waste land.

1103. Mr. *Poulett Scrope.*] Must you not take mortality into question?—Yes. Those are the main principles; minor circumstances should be taken into account.

1104. *Chairman.*] You do not confine yourself to a specific time?—No; it must be longer in New South Wales, the passage being longer, than it would be in Canada, the passage being shorter.

1105. Can a sufficient price to accomplish all this be maintained in the new colony, while the lands in the adjoining colony of New South Wales can be acquired at a lower price?—I am rather afraid not. There is a very fine district of land bordering upon the new colony of South Australia, where the upset price is only 5*s.* an acre. If that should be freely sold at 5*s.* an acre, capitalists paying on the border of our colony 5*s.* an acre, will be able to offer higher wages than capitalists paying 1*l.* an acre in South Australia. Now in order to enjoy these higher wages, the labourers taken out at the cost of those who paid 1*l.* per acre for their land, may pass from South Australia into the neighbouring territory of New South Wales, and work for those who paid only 5*s.* per acre for their land. It therefore appears to me that, fully to carry out the principles of the colony, and to keep faith with the persons who have bought land at the higher price, it is necessary that all the lands in that neighbourhood should not be sold at a less price.

1106. There is actually a very considerable emigration going on from parts of Van Diemen's Land to part of the southern coast of Australia, near the new colony?—Yes, we understand emigrants are passing from Van Diemen's Land, where good pasturage has become scarce, to the opposite continent to a considerable extent, and taking possession of land without paying any price. If this be not checked, it will be injurious to the new colony.

1107. Are you aware whether any steps have been taken to prevent those persons from occupying land without the payment of any price, and do you know they obtain it?—I believe that they go over and buy it at a nominal price from the aborigines, but I do not think that they have any title to it from the Government. They have gone over and purchased it of the aborigines. I believe that they are mere squatters. I saw in one of the New South Wales newspapers that Governor Burke had issued a proclamation, declaring that persons who purchased lands of the natives had no title to the land, and warning people against that species of illegal occupation.

1108. Then it is your impression that those emigrants from Van Diemen's Land have dealt with the aborigines for their title, and not with our Government?—Yes, certainly.

1109. And consequently they have not been subject to the Government regulations, which require 5*s.* an acre as the price of land in New South Wales?—Certainly not.

1110. Sir *George Grey.*] Would not the consequence rather be, that being subject to its regulations, they have no title at all except against the aborigines?—Yes.

1111. Their title as against all settlers in New South Wales is good for nothing?—Certainly; Governor Burke's proclamation declares that.

1112. Mr. *Poulett Scrope.*] With a view of checking this species of squatting, would you introduce any other provision than the denying a title to the permanent possession

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possession of that land?—I would put it under the power of commissioners to sell at 12*s*. an acre.

1113. Would you interfere in any way to prevent the temporary occupation of that land by squatters?—I should not send troops to drive them out, but I would sell the land over their heads.

1114. You would give a right to others to buy the land over their heads, if they choose?—I would plant settlers there. Numbers would be ready to buy the land if they could. General Burke has not declared any part of that country open to settlers. But if it were declared open to settlers, settlers would purchase it and drive out the squatters.

1115. Till it is purchased you would not interfere with them?—I would not drive them out with military force. I would discourage them and encourage persons to buy the land.

1116. *Chairman.*] You think that it would be desirable if an uniform system were applied to all the parts of the colony?—Yes.

1117. Sir *George Grey.*] Are you aware whether an uniform system is applied or not to the whole territory subject to the government of New South Wales?—I am not. I do not speak from very accurate knowledge; my impression is, that the uniform system is not extensively acted upon, that immense districts are not what they call brought within the sphere of colonization, and are not open to settlers.

1118. Not having been surveyed?—Yes, not having been surveyed.

1119. In any part of New South Wales is land not surveyed capable of being acquired by a good title?—No, I believe not. But in the new colony the whole of the land, whether surveyed or not, is open to settlers; settlers have the power of demanding special surveys in any part of the colony.

1120. Is not the system uniform of excluding from settlement, so as to give legal title to land that is not surveyed within the territory of New South Wales?—Within the territory of New South Wales I believe the system is intended to be uniform, though I think that limiting the surveys to particular districts, and the system of sale by auction, interfere with uniformity.

1121. You mean that the same price is not given for the same quantity of land in all parts?—Yes, and that some parts cannot be purchased at all.

1122. But the system is the same in one part as in the other?—Yes, wherever surveys have been made. I mean that the system should be uniform through all the Australian colonies. I believe it is intended to be uniform in the New South Wales colony, but I would extend it to the whole of New Holland.

1123. The part that you have been now speaking of is in the territory of New South Wales?—Yes.

1124. Therefore in that part the system of disposing of land is precisely the same as in other parts of New South Wales?—Yes, it is intended to be so; but it is not brought under regulations, because the governor has not yet declared it open to colonization.

1125. It has not been surveyed?—No.

1126. *Chairman.*] Though it is subject to the same regulations, none of those regulations are yet enforced?—No.

1127. And the want of some power to enforce them will be a very serious detriment to the new colony in the neighbourhood of New South Wales?—I have apprehensions of that. I beg to add to my former answer, that if the system of New South Wales were actually in operation along the whole southern coast, and upon the boundary of the new colony of South Australia, I should not think that sufficient for the protection of South Australia, while the upset price in adjoining districts continued at 5*s*. an acre.

1128. Mr. *Poulett Scrope.*] Is it not the fact that the occupation of pasture land in a migratory manner is almost as valuable to sheep-owners as the possession of a permanent title to it, so long as they can continue to spread over an almost unlimited tract of land as fast as they are dispossessed of that which they had previously occupied; and do you not, therefore, think that by imposing a high price upon the acquisition of land you would lead to the squatting of sheep-owners in this manner over the neighbouring unsold territory?—I do not think that putting a high price upon land could have any effect in causing squatting; I think that a large extent of pasture lands occupied by shepherds is certainly very valuable to them; but I would prevent their taking it without authority, by giving leases at a moderate rent for waste pasture to all persons who should apply for it, thus destroying squat-

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ting in all those best situated districts which flock-owners would be most desirous to obtain.

1129. Mr. *Hutt*.] To revert to those parties who have squatted in the neighbourhood of Port Philip, where do you understand that they came from?—From Van Diemen's Land.

1130. Have you not heard that the governor of Van Diemen's Land's nephew is one of them?—I have heard it currently reported; I do not know anything of the fact. I saw it stated in one of the Van Diemen's Land papers; I have no further knowledge of it.

1131. Has it not been said that some others of his family are of the party?—I have seen it stated in Van Diemen's Land papers; but I have no positive knowledge of the fact.

1132. Can you put the paper in?—I have not the paper; I do not know the name of the paper.

1133. Mr. *Poulett Scrope*.] If it was found that this unauthorized appropriation could not be put a stop to, would it not interfere very materially with the sale of lands in the colony at a high price?—I cannot conceive it is possible that it could not be put a stop to. I think the question involves an impossibility.

1134. Do you think that the denial of the title, which is the only mode of interference that you suggest, will have the effect of putting a stop to the temporary occupation of land by those squatters?—I have not considered what means the Government should adopt in putting an end to the unauthorized occupation of land, I only say that it ought to be put an end to.

1135. Sir *George Grey*.] Did I understand you to say that the Government had no means of preventing this, but the issue of a proclamation denying their title?—No, certainly not; I have not considered what their powers or means are. I only say in my opinion the prosperity of the settlement of South Australia would be greatly improved by acting uniformly.

1136. Government has the power of enforcing its own regulations?—I should suppose so.

1137. You have no reason to suppose that it has not?—No, I have not.

1138. *Chairman*.] It appears by the regulations which the commissioners have published, that you have not adopted the system of selling lands in the new colony by auction, but that you have adopted another system, one fixed price for all parties, which is not to be raised; will you state to the Committee the advantages or disadvantages which you suppose to be connected with these two systems?—I concur in the evidence given by the former witness with respect to the superior eligibility of selling at a fixed price, instead of by auction. It appears to me that the reasons stated by him as giving the preference to the fixed price are quite conclusive, and other reasons occur to me. If the system of auction were adopted, if the quantity of land put up to auction greatly exceeded the demand, so that upon every occasion on which land was put up a great part of it was withdrawn, and if the withdrawn lands were always open to purchase by any person who chose to select them under such arrangement, which appears to be the American arrangement, auction would be merely nominal, because, in reality, land could always be got at the Land Office at a fixed uniform price; to this very extensive system of auction, this merely nominal auction, I should have no objection. But if auction is to be at all operative, if the quantity put up is so small that competition arises, then I think that auction would be decidedly objectionable. I will not go over the reasons which have been so ably stated by the previous witness, but I wish to state an additional reason, which, in my opinion, is also conclusive against the system of auction. If the land which is put up to auction be put up in such limited quantities that there is a competition for it, then land No. 1, that is, the land of the best quality, will fetch at the auction a higher price than land No. 2, and a still higher price than land No. 3 and No. 4. The consequence would be, that to the buyer of good land, paying a high price, equivalent to its superiority, it would be the same thing whether he paid high price for the good land, and cultivated it, or whether he paid a lower price for the bad land. Therefore, the system of auction would have this effect, it would compel the cultivation of inferior soils, and would introduce into the new colony that evil which is found to exist in old countries where good land has become scarce, the high price that would be fixed by auction upon the soils of superior quality, would render it the interest of individuals to cultivate land of an inferior quality which they got at a low price, instead of cultivating the superior land for which they paid a higher price equivalent to its superior quality. The consequence would be, that the

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the labour and the capital employed upon the soil would be less productive than it would be if there were a free appropriation at a fixed and uniform price. This system of colonization was first proposed to my consideration by Sir Robert Wilmot Horton, and he stated to me that it was calculated to produce congestion upon particular spots of land, to compel the settlers to cultivate inferior soil, to render their labour and capital less productive, to reduce wages and profits, which are mainly determined by the last quality of land under cultivation, and to occasion rent to be paid upon superior lands as in an old country. To the principle of colonization, as thus understood, I certainly had very decided objection. But when upon investigation, I found that this system of colonization, rightly understood, did not involve the necessity of cultivating inferior land, but, on the contrary, it offered to the settler the most perfect freedom of cultivating the most fertile land in a very extensive district, then all the objections which had occurred to Sir Robert Wilmot Horton and myself when we first looked at the subject, were to my mind entirely removed, and I became a decided approver and advocate for the system. Now had the system of auction been an essential part of this plan, my objection could not have been removed. But by the plan which we have adopted in the South Australian colony, the most perfect freedom of colonization exists, and so far from our selling land at a high price having any tendency to produce congestion upon particular spots of land, and thereby to force prematurely the cultivation of inferior soils, we permit to all persons who may pay in advance the price of 5,000 acres to go to any part of this extensive colony which they please, and fix upon the most fertile spot, and there settle themselves with their combined labour. Therefore, as the colony is now arranged, and as the principles of colonization are now applied, so far from there being congestion on particular spots forcing prematurely the cultivation of inferior soils, and thereby lowering wages and profits and creating rent; so far from those results occurring, so far from there being local congestions paralyzing industry, there will be a full and free circulation of labour and capital throughout all the most fertile veins of soil contained within the colony.

1139. Will you state to the Committee in what way you propose to deal with the aborigines in the new province?—The mode of treating the aborigines is a most important consideration; and the attention of the colonization commissioners was called to it by a letter from Sir George Grey, expressing Lord Glenelg's desire, and enclosing a copy of the address of the House of Commons to His Majesty, requesting that measures might be taken for protecting the rights of the aborigines in all the British colonies, training them in habits of industry, and inviting them to receive voluntarily the truths of the Christian religion.

1140. Sir *George Grey.*] That was a part of the address of the House of Commons to the King?—Yes; a copy of which was enclosed. The mode in which the colonization commissioners propose, under these circumstances, to deal with the aborigines is this: Lord Glenelg has appointed a protector of the aborigines for the colonies. It will be the duty of the protector of the aborigines, as I understand, to see that no land which the aborigines really have in possession or enjoyment (I believe they have none) shall be taken for settlement, until a voluntary transfer of it shall have been made by the aborigines themselves. The protector of the aborigines, as I apprehend, will see in the first place that the transfer is perfectly voluntary on the part of the aborigines; and then he will see that whatever the bargain may be which the representative of the colonization commissioners shall make with the aborigines, that bargain shall be faithfully fulfilled. Then again, as the occupation of the banks of rivers may interrupt the fishing of the aborigines, as the extensive occupation of the districts which have been marked out for sheep-walks may drive away the kangaroos, and as in those two modes the subsistence which the aborigines can at present obtain may be diminished, it is proposed that in addition to the payment which they may receive for the land in their occupation or enjoyment, they shall have rations supplied to them; so that the aborigines will never be permitted to want. But they will not have those rations for nothing; they will always be required to perform upon the Government works some species of labour, which shall be eqvivalent, or rather more than equivalent, to the value of the rations which they receive.

1141. Mr. *Baring.*] Are the rations contingent upon the performance of the labour?—Yes; my opinion is that they will perform the labour required. There is another regulation which the colonization commissioners have submitted for the consideration of Lord Glenelg; the arrangement is this: the purchasers of the lands ceded by the aborigines shall be allowed for every 80 acres which they pay for,

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for, the occupation gratuitously of 20 acres more, making the whole lot 100 acres. After a period to be fixed the proprietor occupier is to be called upon to divide the lot of 100 acres into five equal parts of 20 acres each, and to resign one of them. The part to be resigned will be thus determined: the settler in possession shall be allowed the first choice of two parts; and out of the remaining three parts the protector of the aborigines will be allowed to select one part, to be applied to supporting schools and asylums for the natives.

1142. This is a species of aboriginal reserve in the character of crown reserve?—It is; it is borrowed from a plan suggested by the Archbishop of Dublin for creating crown reserves, without interposing tracts of waste between the settled districts. Under this arrangement the whole of the land would be cultivated; because the occupier, not knowing what portion he would be called upon to resign, would feel it to be his interest to bestow equal improvement on all the three parts from which the reserve might be taken.

1143. Then it is to form a public fund, either for the benefit of the aborigines or for some other purpose?—Yes, for the benefit of the aborigines.

1144. Sir *George Grey.*] Is it for the purpose of general education?—The plan of Dr. Whately is for general education; it is a species of reserve, without putting extensive wastes between the settled districts.

1145. *Chairman.*] But only general education in the event of the aborigines not finding an employment for it?—Yes; according to our limited recommendation of the plan.

1146. Sir *George Grey.*] Are those schools and asylums exclusively for the aborigines, or for the inhabitants generally?—I would say that this species of regulation should be introduced generally. The Archbishop's plan is general, and is not confined to the aborigines.

1147. *Chairman.*] You have stated in your evidence that the object of the Archbishop's plan is to make a provision for the aborigines; is that the case?—No; the object of the Archbishop's plan is to make reserves for religious endowments, for endowments for education, to produce in the colonies an educated class, to create the means of producing in each colony an educated class. He has suggested this mode of obtaining the reserves without interposing wastes between the settled districts, without cutting up the colony into separate tracts by these reserves.

1148. Maintaining the reserves in tracts of 20 acres which must have been previously cultivated, and not in large masses, which interfere with the progress of settlement?—He does not give any specific quantity; I assume that as illustration.

1149. But if I have understood you, 20 acres are to be given gratuitously to every person having 80 acres?—That is the plan which the commissioners have recommended with respect to the land purchased from the aborigines.

1150. Where does the archbishop's plan come in then?—The suggestion of the archbishop is for all colonies, and we have adopted it as far as relates to the land purchased of aborigines.

1151. Mr. *Gladstone.*] Is it likely practically to be put into operation?—That will depend upon the colonial office; I hope that they will bring it into operation.

1152. But it will not maintain reserves for endowments within the present limits of the colony?—It cannot unless a new Act is passed.

1153. Would it apply to the present limits of the colony?—It might by a new Act of Parliament. The present Act makes no provision for education.

1154. Sir *George Grey.*] The commissioners have recommended the adoption of the Archbishop's principle to the government of South Australia?—Yes, I think they would recommend it universally to the colony; but their present recommendation, which was recently given in, refers to such portions of the land as they might purchase of the aborigines.

1155. *Chairman.*] The Committee understand from the witness who has been examined already, that land to the amount of 900,000 acres has been already let for the purpose of pasturage by the commissioners, without any provision having been made for stock being kept upon it, or any conditions annexed to it, except the payment of an ordinary rent; will you state the grounds upon which the commissioners have proceeded in making those arrangements?—That part of the evidence which relates to the letting of pasture, which has been given by Mr. Wakefield, is the only part to which I cannot assent; the other parts I think I do assent to;

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to; but the evidence of Mr. Wakefield with respect to the letting of pasturage I dissent from.

1156. Will you state your reasons?—I will; I will first state what the regulations are. All persons going to South Australia may rent pasture land to any extent they please upon paying a rent of 40*s*. per square mile. The general rule is that all persons in South Australia may rent whatever quantity of waste pasture they please at the rate of 40*s*. per square mile; but the purchasers of the first 437 sections have the power of renting two square miles at 10*s*. an acre for every 80 acres of land that they have purchased, which makes a very large quantity, about 800,000 acres.

1157. This was not a condition which was provided for in any way, or contemplated by the Act of Parliament?—No; the Act leaves it to the discretion of the commissioners.

1158. Not that they should have the right of renting two square miles of pasturage for each 80 acres they bought?—The commissioners have the power to regulate the renting of pasture as they judge right.

1159. But it was never contemplated in the Act?—No; now the last witness contended, if I understood him rightly, that the proper mode of letting pasture land was to require from the person who took the lease, that a certain quantity of stock should be put upon the land. I was for a considerable time of that opinion too; but upon consideration it appeared to me that it would involve great difficulty to ascertain in such an extensive district the quantity of stock kept upon the land; it would require a kind of inquisitorial inspection of a man's affairs to see what stock he had; the quantity would be ever varying; it would involve a good deal of difficulty to ascertain it from time to time. After a full consideration of the point, I thought it better that the restriction upon the letting of pasture should be rent instead of stock. Now the witness said, if you did not require stock as a qualification and only required rent, that then you would involve the dog-in-the-manger principle, and that people would take pasture without intending to use it. Now I do not think it likely, or at all probable, that persons would pay 40*s*. per square mile for pasture land, if they did not intend to use it; they would have a lease for three years, and that would be determined as soon as any person came to buy the land. The persons who are called upon to pay 40*s*. an acre would not pay it unless they intended to use the land; some curious people may do it, but in a number of instances, so large as to be the general rule, it would not be done. Then the question is, would those persons who are entitled to rent pasture at 10*s*. a square mile be likely to hold it without using it. Now I think not, because, even supposing that they should choose to pay the 10*s*. per square mile for the sake of holding this precarious property in their hands, their doing so would involve more than the loss of 10*s*. They could let their pasture again for 40*s*. the square mile, and holding it would make the difference between receiving 30*s*. a square mile and paying 10*s*. Therefore, they will relet their pasture, and will not turn gain into loss by holding it uselessly in their hands. For these reasons I think the practical evils which the last witness apprehended from the letting of pasture in the new colony will not arise, and that the qualification of rent is better than the qualification of a certain quantity of stock, the ascertaining of which quantity would be difficult in so extensive a district, perhaps impossible; and at all events troublesome and vexatious. There is another reason, and a more important one, for requiring a rent for the occupation of wild pasture. The last witness stated, and I think stated very justly, that if no additional labourers were introduced into a new colony, it would be requisite to have the price of land higher than would be necessary, were a stream of immigration flowing in. Now, if you do not charge such a rent for pasture as will take out the quantity of shepherds necessary to tend the flocks upon that pasture, you will withdraw a certain quantity of labour from the arable land to the pasture land, and that will produce, as far as relates to the holders of arable land, the same effects as if you diminish the immigration; and upon the principles stated, and I think stated justly by Mr. Wakefield, if you diminish immigration and the supply of labour, you must raise the price of land. If you put such a rent upon pasture as is insufficient to take out the number of shepherds requisite to tend the flocks, you will require a higher price to be fixed upon the land that is purchased. This, it seems to me, would be injurious; it would have the effect, in point of fact, of giving a bounty to pasture, and of laying a tax upon tillage. It is quite clear that the just principle is to charge for the land that price which will bring out, and which will retain upon the land such a number of labourers

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labourers as will give the greatest quantity of produce in proportion to the hands employed. It is also quite clear that if you diminish the immigration fund by not taking rent for pasture, and thus decrease the number of labourers coming into the colony, you should cause those who do come in to remain as hired labourers for a longer period by raising the price of land. Therefore it does appear to me to be perfectly demonstrable from the principles that I have stated, that if you do not charge upon pasture land that rent which is sufficient to take out to the colony the number of shepherds required to tend the flocks upon it, you will involve yourself in the necessity of raising the price of land, and that you will give a bounty to pastoral husbandry, and lay a tax upon tillage. For these reasons I think that the commissioners acted wisely in abandoning the principle of restricting the occupation of pasture land by requiring a quantity of stock to be put upon it, and by substituting for this restriction a rent sufficient to take out the requisite number of shepherds. I admit that 10 *s.* a square mile is insufficient for this purpose: charging this low rent for 800,000 acres of pasture, is an anomaly which I do not approve. It was done as a species of bounty to the purchasers of the first 437 lots of land, and they will be able to get a rent upon those pastures over and above that which they will pay to the commissioners, of about 30*s.* for the square mile; and they will pocket the difference instead of its being applied to the emigration fund.

1160. Have you, in fixing so low a rent upon the square mile of land attached to those plots of land, sold the pasturage; have you sold the land and the pasturage together?—Certainly; but the right of pasture is a right which may be taken away from them as the land is bought up; and it will be bought up, and the right of pasture extinguished.

1161. Do they hold the pasturage by lease limited to the term of three years?—Yes; but liable to be cancelled whenever a purchaser comes.

1162. At any time within the term?—Yes.

1163. Sir *George Grey.*] Is the right of pasturage fixed within certain limits?—No.

1164. What is the whole extent of territory comprised within the limits of the colony?—I forget the number of square miles, it is something very large.

1165. Is it to be apprehended that the whole pasturage will be exhausted by the purchasers within the three years?—Within three years or less, the whole of the 800,000 acres of pasture rented at 10*s.* the square mile may be bought up. It may be a century before the whole of the pasture land in the colony is exhausted by purchasers.

1166. *Chairman.*] And they have a perpetual right to renewal of this lease, unless the land is bought?—Yes, a perpetual right of renewal to such portions of the 800,000 acres of pasturage as may remain unsold.

1167. Mr. *Gladstone.*] What is the object of the nominal limitation for three years, as there is not an absolute title secured for three years?—There is no more particular object to fix it for three than for four or five; they have a right to a perpetual renewal, provided no persons come and buy the land.

1168. Sir *George Grey.*] The land and pasturage would not be exhausted for three centuries?—The land in the remote interior, far from water carriage, cannot be exhausted for a very long period.

1169. Is this right of pasturage within particular limits?—It will be surveyed; the pasture-land will be surveyed as well as the other land, and will be let by the square mile.

1170. Then supposing a person to come and purchase that right of pasturage, will that first purchaser be entitled to claim pasturage in another part of the colony?—Every person, whether he be a purchaser of land or not, has an unlimited right of pasturage on any part of the colony not previously occupied, at a rent of 40 *s.* the square mile.

1171. So that the purchaser of any part of the 134 acres has the unlimited right to pasturage at 40 *s.* a square mile?—Yes; any person has that right, though he has not purchased at all.

1172. *Chairman.*] Have you adopted the same principle in that colony that prevails in Australia wherever land may be obtained?—Not exactly; in New South Wales, I believe, the leases of pasture land are put up to auction, and sold to the highest bidder; we have no auction.

1173. Sir *George Grey.*] Does the land sold by auction in New South Wales carry with it an unlimited right of pasturage?—I am not aware.

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1174. What quantity of the land has been sold to the company?—About a third.

1175. How much of the land has been sold upon speculation?—A good deal; we can hardly tell; we cannot ascertain that.

1176. Has much been already sold by the original purchasers?—About 20 or 30 lots of the 437 lots of 135 acres; but I cannot state the exact numbers. The transfers are not necessarily communicated to the Commissioners.

Jovis, 30° die Junii, 1836.

MEMBERS PRESENT.

Mr. Ward.	Mr. Scott.
Mr. Chalmers.	Mr. Poulett Scrope.
Mr. Hutt.	Mr. F. Baring.
Mr. William Gladstone.	

MR. WARD, IN THE CHAIR.

Colonel *Torrens*, called in; and further Examined.

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1177. *Chairman.*] HAVE you brought the correspondence with you which you were to submit to the Committee?—No, I have not; I went for it, but the secretary was at Gravesend, taking leave of some emigrants that went in the Africaine. I wish to make an addition to two answers which I gave yesterday: in replying to the question yesterday, I believe it was the second or third question, which asked where I thought the power of disposal of the colonial land should rest, I omitted to state that the authority of Mr. Huskisson was in favour of committing the management of the colonial lands to a central metropolitan board. When Mr. Huskisson was Secretary of State for the Colonies, he told me that it was his intention to establish a colonial land board in London, for the purpose of managing the Crown lands in the colonies. He submitted this plan to the Duke of Wellington, then the First Lord of the Treasury, and the Duke of Wellington's reply was, that he assented to the measure provided that the introduction of it would not involve the country in any additional expense; Mr. Huskisson's reply was, that instead of its involving the country in any additional expense, the arrangement which he proposed of a land board for the management of colonial lands, would occasion a very considerable revenue. The arrangement was put an end to in consequence of Mr. Huskisson's retirement from office. This is perfectly authentic, because Mr. Huskisson stated the facts, as nearly as I can recollect, in those very words.

1178. Mr. *Scott.*] In what year was that?—In 1828; this matter came under discussion in consequence of a speech which I made in the House of Commons, in support of Sir Robert Wilmot Horton's motion for the appointment of a Committee on emigration. In this speech I alluded to the great revenue realised in the United States by the sale of waste land, and urged on Parliament the expediency of converting the waste lands of the colonies into an emigration fund. Mr. Huskisson was pleased to approve of the arguments I then adduced, and on his succeeding to the Colonial Office, he adopted the arrangement, and made the communication which I have stated.

1179. Mr. *Poulett Scrope.*] Do you know whether Mr. Huskisson contemplated applying a fixed price, or a minimum price, in the colony?—I believe this new principle of colonization which is now being developed, namely, fixing the price of waste land so as to secure an adequate supply of labour for hire, was not at all known at the time I speak of.

1180. The affixing of such a price as the American government has fixed for the last 15 years?—In the speech to which I have alluded, and the substance of which was published in a pamphlet and submitted to Mr. Huskisson, I merely referred to the American system of disposing of waste land, as affording a practical proof that the expense of emigration might be defrayed out of the increased value which it confers on the wild land of the colonies; and Mr. Huskisson, as far as his intentions were communicated to me, contemplated nothing more than the conversion of the Crown lands of the colonies into a source of revenue. The peculiar princi

ples

ples of the plan of colonization now under the consideration of the Committee were not then known.

1181. *Chairman.*] Have you ever reflected upon the possibility of rendering the system of sale applicable on a large scale to Ireland, and whether you conceive that it might be so applied?—Yes, I have considered that subject. Some months ago the Archbishop of Dublin wrote to me, inquiring in what way the principles of the South Australian colony might be applied so as to aid the introduction of poor laws into Ireland. In consequence of this communication, I turned my attention very much to this subject, and wrote my views upon it to the Archbishop. I will state to the Committee the manner in which, as I conceive, the colonization of Australia generally might be made applicable, and almost immediately applicable, to aid such an emigration from Ireland, as would permit poor laws to be there established. Though the system of selling land in Australia has hitherto been very imperfect, yet in the course of the last year the revenue realised from this source has been 100,000*l.* This is a constantly-increasing revenue, and an increasing revenue of 100,000*l.* per annum would pay the interest at five per cent. of a loan of two millions, therefore if the Government were to introduce an Act rendering this system permanent and universal throughout Australia, there could be no difficulty in immediately negociating a loan of two millions applicable to Irish emigration. An emigration loan of two millions, properly applied, would take out, I think, about 200,000 individuals of all ages, to Australia. Now the introduction of so large a population would greatly increase the demand for land; the increased demand for land would occasion increased sales, and those increased sales would produce a very greatly increased emigration fund, an increased emigration fund would be again applicable to an increased emigration, and an increased emigration increasing the population of the colony, would again increase the demand for land and the emigration fund; thus there is a geometrical principle of progression in the system, which, under proper arrangements, might in a very short period indeed carry off the surplus population of Ireland. This would merely require the extension to the whole territory of Australia of that principle which is already embodied in the South Australian Act, of raising loans upon the security of future sales of land. A short Act of Parliament, extending to Australia generally this provision of the South Australian Act, and permitting commissioners, or the Government, or any authorised body, to raise a loan upon the security of the revenue to be derived from the Crown lands of the Australian colonies, would produce the results which I have endeavoured briefly to state to the Committee.

1182. Mr. *Hutt.*] Are you aware that Mr. Malthus and Sir Robert Wilmot Horton objected to the plan of colonization which has been developed to the Committee, and that their objections were grounded on the received principles of political economy?—I am aware of that. This system of colonization which has been developed to the Committee was first opened to the public in a pamphlet that was published by the Colonization Society, of which, I believe, the Honourable Member for Hull was a member. The Colonization Society, in this pamphlet of theirs, probably used in an incautious manner the term "concentration." They used the term in an unusual sense, without defining the new meaning which they attached to it; and, giving the ordinary and natural interpretation to the phraseology in which their principles were then conveyed, Sir Robert Wilmot Horton, Mr. Malthus, Mr. James Mill, and also myself, understood the plan to involve the necessity of cultivating inferior lands. Now nothing can be conceived more objectionable on principle than the disposal of waste lands in such a way as to force prematurely the cultivation of inferior soils; and Sir Robert Wilmot Horton, who was very much opposed to the Colonization Society, got Mr. Mill and Mr. Malthus, myself, and, I believe, some others, to write papers in opposition to the views of that society as then understood. Mr. Malthus and myself did so, under the idea that the new system of colonization involved such a degree of congestion on particular spots, as would compel the application of labour and capital to inferior lands, and would therefore lower profits and wages, and cause an artificial creation of rent. In Mr. Malthus' paper, which Sir Robert Wilmot Horton printed with the others and circulated, I find the following words: "Anything like a persevering attempt to concentrate round a single town would soon lower wages, and destroy the true principle of colonization. In colonizing a large country, many centres of concentration are necessary, and villages in various stages must be established, which must grow up into towns, and form new markets for produce. Many of those will naturally be fixed at a considerable distance from the metro-

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polis, determined by fertility of soil, vicinity to rivers and other circumstances." It is quite clear, therefore, that Mr. Malthus understood the term "concentration" as meaning concentration round a particular centre. In this same pamphlet there is also a little paper of my own, urging a similar objection to the plan of the Colonization Society. I do not know what were the opinions on the subject subsequently held by Mr. Malthus; but I very soon, in discussing the question with the gentlemen of the Colonization Society, found that they defined their terms or modified their principle, so as to obviate the objection urged by Mr. Malthus and myself. As soon as I found the system so explained or modified as to permit population and capital freely to spread over the most fertile and best situated lands, my objection was instantly removed, and my opposition ceased. I believe that Sir Robert Wilmot Horton still continued opposed to the system of the Colonization Society, but I became its decided advocate; and the more I consider it, the more entirely I approve. I have a strong and a growing conviction that at no distant period the country will have to acknowledge a large debt of gratitude to the author of this plan.

1183. Mr. *Poulett Scrope.*] You have not stated how many labourers the South Australian commissioners have sent out?—The whole number of emigrants now sent out is 225.

1184. How many women are there?—There are 47 women there and 178 males. Though the Act of Parliament requires that we shall send them out in equal numbers of the sexes, yet as these first vessels have gone out to survey the district and to prepare it for settlers, we thought women would be inconvenient, and we sent out more men; but in the next ships we shall remedy that, and equalise the sexes.

1185. Those are the emigrants to whom a free passage has been given?—Yes.

1186. Exclusive of those who have gone out and paid their own passage?—Yes.

1187. Are all the males adults?—Some of them are young.

1188. How many adult males are there?—I have not brought the exact number of adults in proportion to children; but I must remark that, in the first instance, there were some very valuable mechanics, who were required to go out by the South Australian Company for their buildings and the various mechanical operations that they are about to undertake. Those valuable mechanics would not go out unless their children were taken out with them; and the strict wording of the Act has been therefore slightly departed from in taking out children. The parents have paid a certain proportion of the children's passage, not the whole.

1189. Of 178 males, a portion are children and a portion mechanics; how many agricultural labourers have you sent out of full age?—I cannot, without referring to the books, charge my memory with the different trades of the various persons. We have sent out those which were demanded. The farmers have taken their own farm-servants, and the persons who have gone out to build have taken out masons and house carpenters. Except a few, about 30 people, that we have sent for the Government works, and who are mechanics, we have left the selection of labourers to the capitalists who are going out.

1190. Is it probable that there have been 100 agricultural labourers of full age sent out?—No, not 100 agricultural labourers of full age.

1191. Adults, fit for work?—Not of agricultural labourers.

1192. Do you think that there are a sufficient number sent out for the due cultivation of all the land you have sold?—No, nothing at all like it.

1193. Therefore as yet you have not sent out a due proportion of the labourers for the cultivation of the land that you have sold?—No, we could not do so; those persons that have gone out are the pioneers, to make surveys and prepare the location for others when they arrive.

1194. Therefore you have a fund in hand?—Yes, a large fund in hand.

1195. Have you a sufficient number of persons who are willing to go out, upon whom you could expend that fund?—I think we could expend double the fund in sending out people.

1196. Which you delay to do till you hear from the colony?—No, we do not delay on that account. Those who have gone out are pioneers to prepare the way for others. The Buffalo will sail early next month; she will take, in addition to those that have gone, 160 more; the Africaine and the Tam O'Shanter will take about 50 each; and we contemplate immediately putting up another ship, which shall take out 200; but the emigration is only just commencing.

1197. Your

1197. Your system would rather tend to raise the wages of labour in the colony than to lower them?—I think so.

1198. Supposing the wages in the colony of South Australia to remain on a par with the wages in Van Diemen's Land and Sydney, do you think that any price you could fix on land there would prevent the labourer who was desirous of settling on land of his own, from purchasing sufficient to maintain his family out of the savings of his first six months' labour?—Yes.

1199. Can you state what are the daily wages of labour in Van Diemen's Land, and what is the cost of the necessaries of life?—No; the accounts are so very various. The committee of emigration here, in their account of emigration to Van Diemen's Land and New South Wales, have published a pamphlet, in which all those prices are given, the wages of labour and the price of provisions. I thought that that might be relied upon, but I find, in looking at publications which have come from New South Wales and Van Diemen's Land, that it is entirely contradicted. The authors of these publications say that the prices which have been printed here by the emigration committee are entirely erroneous, and which of the two scales is the correct one I cannot say.

1200. Supposing the ordinary wages of labour to be 4 *s.* a day in the colony, and that a labourer and his wife could maintain themselves on 2 *s.* a day, the savings of six months would then amount to 18 *l.*; with that 18 *l.* could not the labourer purchase nearly four acres of land at the price of even 5 *l.* an acre, and eight acres of land at the price of 2 *l.*?—Yes, he could.

1201. Would not either of those quantities be amply sufficient to maintain himself and his family?—Those small patches of land might maintain him and his family in a very low and degraded state, provided he had stock to put upon them; but by your supposition he would have a house to build, and agricultural implements to purchase, his furniture to purchase, stock to purchase for his farm, and subsistence for himself and his wife and his children for a twelvemonth before he could get any return; I may say for two years before he could get any return, for the first year would be taken in clearing the land that he had purchased; in fact, for that money he could not establish himself as a farmer.

1202. That is, he could not obtain the comforts of a civilized existence?—I do not see how he is to exist at all.

1203. Does not your theory of the necessity of preventing labourers from becoming settlers, suppose that there is a strong desire, a sort of mania, among labourers to become settlers on land, even before they can duly cultivate it, and obtain through it the comforts of civilized existence?—It is supposed that there is from European associations a strong tendency in the labouring class to go out, and to get large tracts of land, and to become lords of a great portion of the soil, imagining thereby that they will have wealth and station, and that aristocratic position in a colony which that quantity of land would give them in Europe; but I do not apprehend that there is any passion to get little patches of land. I do not imagine that a good mechanic in an English town has such a passion for land that he will go and take two or three acres of land and cultivate it. The high wages which I contemplate would lead them to continue upon those high wages rather than purchase small patches of land.

1204. Would not those high wages, and the comforts of life which they would afford, induce a respectable mechanic, accustomed to the comforts of life, to remain a labourer, even though he should be able to purchase land at 10 *s.* an acre?—No. The low price would enable him to purchase a larger tract of land; and if he had a large tract, and saw that land was gradually acquiring increased value in the colony, he would submit to some years of privation, under the hope that the large tract that he got would ultimately become a valuable estate to him.

1205. But the difference between the size of the tracts he could purchase at the rate of 2 *l.* an acre, and the rate of 10 *s.* an acre, would be only the difference of one to four; and do you think that that difference is sufficient to bring into play that passion which you think exists in the minds of all labourers, a passion for an extensive estate, derived from the knowledge that in the country they came from, the possession of a large estate is the possession of great wealth?—Upon the principle which you state, there would be four times the motive for spreading, and for ceasing to work for wages.

1206. That is to say, you would allow them to become possessed of an estate four times as large; but the addition of the size would not add to his command over the comforts and necessaries of life; it would leave him still in the possession

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of something merely above the savage?—Whatever the difference may be, the price which you appear desirous of putting upon waste land, namely 10 *s.* an acre, would, of course, give a temptation to spread greater by fourfold than that which would be given were the price 2 *l.* an acre.

1207. Is it the fact that in the non-slaveholding states of America the inhabitants do not combine their labour or co-operate together for the production of the comforts of civilization? Are there no shoemakers or tailors, or mechanics, among the natives of those states?—I suppose there are shoemakers there and mechanics.

1208. Therefore the advantages of combinable labour are obtained among the nhabitants of those non-slaveholding states?—I have not any local knowledge of America; but the question put, that there must be mechanics in America, seems to involve a self-evident proposition almost.

1209. But you have no doubt that the natives of those states are not prevented by the facility possessed there of obtaining land at a cheap rate from becoming labourers for hire, shoemakers or tailors, or exercising any of the ordinary means of civilization?—Though I have no personal knowledge of the economical state of North America, yet, from all I have read upon the subject, it has appeared to me that there is a considerable scarcity of combinable labour in the states where slavery does not exist; but I do not wish to answer any question upon the statistics of America. The Hon. Member for Hull can answer that question better than I can, for he on one occasion, at a general meeting of the National Colonization Society, in June 1830, made a speech relative to combined labour in America, in which I see the following passage:

"Allow me, on the other hand, to call your attention to, I think I may say, all the new states of South America; and Sir, I attach the greatest importance to the history of these states, for the example is perfect in its kind; it proves the advantages of concentration at one period, the evils of dispersion at another. The Spanish nation, as we well know, governed its colonies in sole subserviency to its own advantage. When De Humboldt was in New Spain, an order arrived from Madrid to root up all the stocks of vines in the northern part of the kingdom, for the cultivation of them had alarmed the vine-growers of Cadiz; for the same and similar reasons, the cultivation of the olive and mulberry, of flax and hemp, was almost prohibited by the government; no tobacco could be grown in particular districts, and it could only be sold by the officers of government; agriculture was thus discouraged as much as possible, and the people consequently cultivated so much of the soil only as was necessary for their support; they did not scatter; and the great historian of Spanish America speaks with astonishment of the wealth and civilization he found amongst them. In spite of oppression and misrule of every description, these provinces presented the unexampled spectacle of colonies paying a large yearly tribute, collected by taxation, to the mother country. The country is described as covered everywhere with rising populous and industrious villages. No city in America possessed such scientific establishments as Mexico; all the arts of civilization were cultivated with wonderful spirit and success, even in the provincial towns."

The Hon. Member for Stroud having stated that he differs from me as to the price which ought to be put upon waste land in a new colony, I beg to make the following statement: If 5 *s.* an acre were charged for land in the new colony of South Australia, 100 acres of land would cost 25 *l*; 25 *l.* would take out, under great economy, one single labourer and his wife; therefore, at the price of 5 *s.* an acre, a capitalist might have one labourer on 100 acres. Now I believe it will appear to every person at all acquainted with land, that one labourer upon 100 acres would produce very little, and that land would not be worth 5 *s.* an acre if the capitalist could only get one labourer to work 100 acres. Supposing, therefore, we raise the price in the colony of South Australia to 10 *s.* an acre, then his 100 acres will cost the purchaser 50 *l.*, and he will have two labourers with their wives upon his land. I think it must appear quite clear that the price of 10 *s.* an acre, with two labourers to the 100 acres, would be a cheaper purchase than 5 *s.* an acre, with only one labourer upon the 100 acres. Now if there were only two labourers to 100 acres, those two labourers could not be agricultural labourers solely; those two labourers must be carpenters, and smiths, and wheelwrights, and shoemakers, and tailors; and, therefore, with two labourers upon 100 acres, there would be no division of employment, and no combination of labour. Therefore, even the price of 10 *s.* an acre would leave the proprietor of 100 acres in a miserable state of destitution, his two labourers being jacks-of-all-trades, they having no division of employment, no market to go to. Now let us come to 1 *l.* an acre. This would take out four labourers to 100 acres; probably four labourers to 100 acres would

would be quite ample, provided they were four agricultural labourers. But they could not be four purely agricultural labourers, because, as I stated before, some of them would have to do carpenters' work, and some of them would be required to follow other mechanical trades. Hence, a purchaser, in South Australia, of 100 acres, at 1 *l.* per acre, could not have four agricultural labourers upon his land; but let us charge him 2 *l.* per acre, and let us take out eight labourers and their wives for every 100 acres purchased; in this case the purchaser would be able to employ four agricultural labourers upon his land, while there would be four non-agricultural labourers settled in the neighbouring village, which would create a market for his produce. He would be able to hire smiths and carpenters, and wheelwrights, and every species of mechanical labour, and would pay them with the surplus produce of his farm. I say, then, that 2 *l.* an acre, giving this division of employment, and creating this market for produce, would be positively cheaper to the purchaser of land in the new colony than 5 *s.* an acre. In a new colony, without convicts and without slaves, if a man were to purchase land at 5 *s.* an acre, his capital would perish, and his family would probably starve. But if he paid 2 *l.* an acre, and if the purchase-money were employed in taking out labourers to the colony, he could cultivate under all the advantages of division of employment and combination of labour; and as one portion of the labourers taken out would be mechanical labourers, residing in villages and towns, a market would be created for his produce, and he would at once be settled, as it were, in an old country. Upon these grounds I entirely differ from the Honourable Member for Stroud with respect to the price that should be put upon waste land in a new colony.

1210. Do you think that the price of 2 *l.* an acre upon the grounds you have stated, would secure the introduction of a sufficient number of labourers to make up for casualties, such as loss of life and desertion to New South Wales or to Van Diemen's Land?—When you consider that you would take out young couples, I think that all those casualties would be amply provided for by the natural increase of population.

1211. Do you think that it would also ensure a sufficient supply for the labour required on pasturage to the extent of 640 acres for every lot sold?—I think if no rent were charged for pasture land, it might require a higher price than 2 *l.* an acre for the arable land.

1212–1213. You charge only a nominal rent at present for the pasture?—For part, that part which is already let; all new leases of pasture will be at a rent of 40 *s.* a square mile.

1214. But which rent is at a less rate than three farthings an acre per annum; is not that a nominal rent?—In a certain sense it is; but it seems to me sufficient to secure the necessary supply of labour upon the lands.

1215. Have you calculated how many labourers will be required upon a square mile of pasture land?—That is a fact which is to be determined hereafter. The persons who go out and put flocks upon the land will, of course, determine what number of labourers they require per square mile; we have the power of lowering and raising the rent of our pasturage as we please, and if the persons who occupy this pasturage require four shepherds for a square mile, we shall adjust the rent so as to give them four shepherds.

1216. It must be 40 or 50 years before your rent can accumulate to enable you to take out four shepherds per square mile, must it not?—By no means; the Act of Parliament enables the commissioners to raise money upon the security of the land and upon the security of the pasture. If we fix a rent of 40 *s.* a square mile on wild pasture, that will pay the interest at 5 per cent. of a loan of 40 *l.*, and this would take out two labourers. Thus by the principle of renting pasture and of borrowing upon the security of the rent, we get at once and immediately the quantity of labour that we want.

1217. Mr. *Gladstone.*] Are you strictly correct in stating that 40 *l.* would take out two labourers; have not you allowed for a man and his wife?—It would not take out two men and their wives. Should it be found that flock-masters require two shepherds upon each square mile of pasture, the rent must be raised to 60 *s.* the square mile, unless loans can be raised at a less interest than 5 per cent.

1218. Mr. *Poulett Scrope.*] In the calculation you have gone upon, you have omitted all consideration of the circumstance that at the end of a short period the labourers that you carry out this year will become settlers, and it will be necessary to supply their places with new labourers?—If they become settlers they

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buy land; if they buy land, they increase the emigration fund, and create the means of taking out labourers for hire, to supply their places.

1219. Do you agree in the opinion expressed by Mr. Wakefield, that combinable labour enjoyed by the inhabitants of the non-slaveholding states of America is owing to the existence of slavery in the other states?—I have not sufficient local knowledge of North America to give any opinion of my own upon those points; it struck me as likely to be true, but I do not know sufficiently the statistics of North America to hazard a positive opinion upon the subject.

1220. *Chairman.*] Do not you conceive that the existence of great markets and great masses of combined labour, occupied in raising sugar and tobacco, to be exported at the mouth of rivers, affords a very natural stimulus to states in which there is only free labour, and which are actually employed in raising the ordinary articles of food upon which those masses of slave labour are known to exist?—Yes, if I am to answer the question upon principles of political economy, I can readily do so, but if I am asked the question referring to any statistical details respecting North America, I cannot answer it. Now upon the principles of political economy there can be no doubt, I think, that Mr. Wakefield's opinion is the correct one. If a certain quantity of capital in the southern states is employed with combined labour, the value of the produce of a certain capital there, will regulate the value of the produce of the same amount of capital in the northern states, because if the produce of a certain capital in the northern states was not equal in value to the produce of an equal amount in the southern states, the capital would be withdrawn from the northern to the southern states, and therefore the value of the produce of equal capitals employed in the northern and in the southern states will be equal; consequently, if combined labour in the southern states (I am not speaking statistically, but hypothetically, on the principles of political economy), enables capital to realise a certain value, an equal value will, on the principle of competition, be realised for the capital employed in the northern states, even though they should not have the same command of combined labour.

1221. Are you not aware, moreover, that it is a notorious fact, spoken of by all travellers in America, that almost the whole of the produce of Kentucky and of the states in which free labour exists, towards the north, is actually conveyed by the great rivers to the markets in Louisiana, and the other slaveholding states?—Yes, I am aware of that, and it is quite clear that the high monied value of labour, and the produce of labour, that is determined by the cotton and tobacco produced by combined labour in the southern states, creates a high monied value for all the produce of North America.

1222. That consequently gives a very great stimulus to the free labour of free states, which they could not have but from the existence of slavery?—Yes.

1223. Mr. *Poulett Scrope.*] Therefore the existence of slavery in the slaveholding states, by raising the price of labour in the non-slaveholding states, induces the labourers to continue to work for hire instead of applying themselves to settle upon land that they might purchase at 5 *s.* an acre?—I have no doubt that the high monied wages which are created in North America by the great value of the products of the combined slave labour in the southern states, improves the condition of the mechanics in the towns of the northern states, and has a strong tendency to retain them in combination, and to counteract that disposition which there is in North America to spread westward and to squat.

1224. You contemplate therefore, that by raising the price of land in a colony, above the American level, you will keep the wages of labour below the existing wages in those American settlements?—I do not.

1225. If at the present rate of wages, and the price of land in the western states of America, labourers are induced to co-operate and to work for hire, have you any reason to suppose that at a similar price for land, and at similar wages, in a new colony, not connected with a slaveholding state, the same state of things will exist?—I can answer that question most decidedly in the negative, because in the new colony, where you suppose that the price of land would be low, there would be no combined labour creating produce of a very high value in proportion to the capital employed; there would be nothing of the kind, there would be no high prices of anything. The question assumes that an effect is to be produced in a new colony without combined labour, similar to that which is produced in the slave states by combined labour.

1226. Assuming that you obtain combinable labour with the price of land at 5 *s.* an

an acre?—That is what I deny; it is because 5 *s.* per acre cannot take out a supply of combinable labour, that I would raise the price.

1227. You say that it is a high rate of wages in the new provinces of the United States which induces the labourer to turn his hand to mechanical operations, and to work for hire in preference to buying land at 5 *s.* an acre, and becoming a settler?—Yes, I think that high wages have a tendency that way.

1228. Supposing that, in the new colony, land was to be obtained as in North America, at 5 *s.* an acre, would not a labourer obtaining the same wages that labourers now obtain in North America, be equally content to remain as a hired labourer, and to turn his hand to mechanical industry?—Yes, if he had the same high wages; but the supposition involves an impossibility, because he could not have the same high wages, if land were at 5 *s.* an acre; in that case there would be but one labourer and his wife to the square mile, including mechanics, town population and all; every man would do everything for himself, there would be no division of employment, and no combination of labour, and industry would be so ineffectual, that the whole of the produce raised by the whole labour of the people would not be sufficient to give one-tenth of the wages which are given in the United States.

1229. Supposing capitalists coming from England were willing to offer the same rate of wages to labourers in this new colony as prevail in the United States; under those circumstances the labourer would continue to work for hire, and there would be combinable labour to the extent required?—But that is an impossibility; capitalists would not go from England to a colony where they get only one man to a square mile. By the terms of your supposition there could be no labour for hire; and it seems a contradiction to ask what would take place under non-existing circumstances.

1230. Supposing labourers were to be imported freely by Government, the difficulty would be avoided?—You now bring in another element, for if you pour in a stream of emigration by the Government, that alters the question. In this case a lower price of land would be sufficient. Before I retire, I beg leave to supply a deficiency in an answer which I gave yesterday to the Hon. Member for Stroud. He asked how I should prevent squatting in New South Wales, and then I was not prepared to say how I should prevent squatting; that being a consideration for the Government rather than for me. But I think I can show how the squatting has occurred, and then how it may be prevented. The squatting in Australia is of course very dissimilar from squatting in North America; we have used the term squatting because we have no other fit term to express the unauthorized occupation of land; but the unauthorized occupation of land in Australia is done by persons who have hundreds and thousands of sheep, who go and take possession of certain tracts of land. Now the reason why those great flock-masters take possession of those tracts of land is, because Government has neglected to provide the means of colonization with sufficient rapidity, and to a sufficient extent for the wants of this growing colony. The consequence is, that before the land has been surveyed or made open to be purchased, flock-masters go and take possession of it. But if the Government had extended the principle of colonization, and had surveyed the lands in question, and offered them for rent and purchase, no one would have taken them in this surreptitious manner. Now the way to prevent this extra-legal colonization is, for Government to extend the means of authorized colonization to those districts, to have them surveyed, and when they are surveyed to offer them to the public for rent or purchase. I would not displace those who have occupied the land in this extra-legal manner; I would give them the right of pre-emption; if they chose to pay a fixed rent or to purchase at a fixed price, I would let them remain. If they did not rent or purchase, they would be expelled by those who did.

1231. Mr. *Scott.*] Who is to be the responsible manager in this colony?—The governor is Captain Hindmarsh, of the Navy.

1232. The arrangements are already completed there when the settlers arrive?—The colonization commission have three agents. In the first place, they have a treasurer, who is to receive the purchase-money of the land and the rent of the pasture; they have a colonial commissioner, who represents them there, and exercises their authority, and directs the surveys of the land; and they have also an emigration agent, who has the charge of the people when they arrive. His functions are important; perhaps a statement of them will satisfy the Honourable Member

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Member for Stroud in some points. It is the duty of the emigration agent to receive the poor emigrants as they arrive, to keep a list of all the capitalists wanting labourers, and the particular class of labourers that they want. The emigration agent will from time to time inform the commissioners in London what labourers are wanted; and this will enable us to regulate the supply of labour, and also to regulate the price of land. The agent will tell us whether, on the average, a person who rents a square mile of pasture requires two shepherds or three shepherds; and according as experience proves to us the number of shepherds wanted, on that principle we shall regulate the rent of pasture. This agent will also tell us how many agricultural labourers are required by the capitalist cultivating 100 acres, striking the average as nearly as he can, and we shall regulate the price of land accordingly. He will tell us whether there are enough of agricultural labourers in the colony, and state the proportion in which the capitalists may require different kinds of labour. If the capitalists want more labourers than we are sending, we shall raise the price of land and send more; if they require less, we shall check the supply. It is impossible to fix universally what the price of land should be. Asking us to fix definitely what the price of land should be, is the same thing as asking a physician to fix what quantity of medicine he will give to all patients, of all ages, and with all diseases. The price will be determined by experience; the agent there will tell us how much labour is wanted for a certain extent of pasture, how much labour for a certain quantity of arable land, and if the labourers are passing away from their masters to take land for themselves. This last result would indicate to us that we should gradually raise the price of land and increase the supply of labour. I believe that, under the regulations we have made, we shall be able to obtain such accurate information, that land, labour and capital, the three elements of wealth, may be adjusted as nearly as possible to those proportions which give industry the most effect, or, in other words, which enable the greatest quantity of produce to be raised in proportion to the number of hands employed in raising it.

1233. You have already appointed surveyors to survey the entire of the country, and the soil and the nature of the grasses, which will be of great consequence to the new colony?—Yes; two ships went out two months ago, the Rapid and Cygnet, conveying two surveying parties, who will land about two months before the first settlers arrive.

1234. Mr. *Gladstone.*] You stated that you had sent out 47 women; are they single or married?—Some are mothers of families, some are young women, and some are single women; those that are single women have gone out with their fathers and mothers.

1235. Upon the whole, you give a very decided preference to sending out married people only?—Yes, young married people.

1236. As you have not commenced by acting on that principle, do you expect to carry it into effect hereafter fully?—Yes, we will do so. There are numbers of females ready to go. It is not more difficult to get females than males.

1237. Mr. *Baring.*] Have you the means of marrying in the colony?—Yes, there is a chaplain appointed.

1238. Mr. *Gladstone.*] Does the Act give any preference to married people?—The Act says adults, in equal proportions of the sexes; it does not say whether they shall be married or not; but if you send out people very young, and of equal proportions as to sex, they will all marry.

1239. Do you not see a great advantage in sending them out married?—Yes; and in selecting emigrants we generally try to get them married before they go.

1240. Have the applications for passages, with reference to the quantity of persons, hitherto been sufficiently abundant to induce you to believe that you will be able to act uniformly on the principle of sending out married persons?—I think decidedly so; we could have done so, but we did not think it expedient at first; peculiar people were required by capitalists, and we would not send any but those who were hired in the first instance; therefore we were in the hands of those who hired. We thought it safe not to send out any in those first ships but those who were employed by capitalists, and hired for the first year. One capitalist said "I will hire this man, because I have great confidence in him; he has two children and a wife, and he will not go without them." Now that the first expedition has gone and the colony is planted, we shall rigidly adhere to the Act of Parliament with respect to age and the proportion of the sexes.

1241. Although, therefore, there is no specific provision with reference to the sending

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sending out of married persons in preference to single persons, yet the members of the commission have a decided opinion upon that subject, and mean to act upon it?—Yes, as far as they can, and induce young people to marry before they go; if they are married, they will take them in preference to people who are not married.

Captain *Wood*, called in; and Examined.

Captain *Wood.*

1242. *Chairman.*] YOU have resided for a long time in Van Diemen's Land?—Twelve years.

1243. In what capacity?—As a settler, or as a cultivator, and paying more attention to stock and sheep.

1244. What quantity of land did you hold there?—Latterly I occupied upwards of 2,000 acres.

1245. Were you a magistrate in the colony?—I was for a good number of years.

1246. And have you had occasion to consider the system which formerly existed of giving away land, of making grants of land in the colony?—Yes; I had an opportunity of knowing how it was granted, and likewise I have thought a good deal upon the subject.

1247. Will you state to the Committee any observation which you wish to make upon that subject?—On my arrival in Van Diemen's Land those who applied for land brought out a letter to the Lieutenant-governor from the Colonial Office, and they made an oath before a magistrate that they had capital to such an extent, and according to the amount of capital they got a grant, but in no case did it exceed 2,000 acres, whatever their capital was.

1248. Was this condition with regard to capital rigorously enforced?—You received land according to the amount of capital which you swore you possessed, but not to exceed 2,000 acres.

1249. Was the system of making oath as to the amount of capital found to work well?—My opinion is that it was holding out a great temptation to those who went out with large families and small capital to commit perjury.

1250. And were there many instances in which the oath was taken as a mere form?—I believe that it was in many instances not sufficiently regarded, or else they put a high value upon the property which they carried out.

1251. What were the inconveniences which appeared to you to result from this system of oaths, or were there any?—The system was afterwards changed from a declaration or an oath, to a certificate from a magistate or from some other person, of the amount of capital brought out; that was likewise subject to fraud.

1252. Do you conceive that system to have been an improvement upon the former system?—It was rather; it did not hold out the temptation to perjury, but still it held out a temptation to fraud.

1253. You mean that in the one case it was simply fraud upon the magistrate, in the other case it was fraud and perjury combined?—Yes.

1254. Mr. *Gladstone.*] Were the magistrates in general parties of respectability?—The governor tried to make them as respectable as possible; but some of them were anxious to be made magistrates, thinking it stamped respectability upon them.

1255. Upon the whole, were they the best class that the colony afforded?—I think so; they were principally retired officers of the army and navy.

1256. *Chairman.*] You do not mean, of course, to impute to the magistrates any neglect of their duty with regard to those certificates, but to say that the magistrates were deceived by the persons who applied for them?—Yes, there were various ways of deceiving the magistrates; the bringing forward documents which made the magistrates believe that there was capital which did not exist.

1257. Have you known many instances of this in your own personal experience?—I have often heard it reported, and heard the people who came out in one ship say that so and so, that had little capital, had got more land from having produced a false certificate, where they had got much less with larger capital; I have heard the complaint often, and I believe it to be correct.

1258. The system in this respect gave rise to great discontent among themselves?—Yes, those who acted conscientiously got little, and those who were not so scrupulous got large grants.

1259. When was this system of grants given up?—I suppose about eight years ago, or nine years ago; they first valued land, and sold land as low as 1*s.* 6*d.* or 2*s.* 6*d.*

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2 *s.* 6 *d.* an acre; there were two people, called the land commissioners, who valued it, and according to the value that was put upon it, you could apply for it.

1260. To what year are you now referring?—Eight or nine years ago, I think; but I am not quite certain of the date.

1261. Are you not aware that the system of selling land was not introduced formally, by order of the Colonial Office, till the year 1831?—It prevailed before then; I do not know on what authority, but I think by directions from home; I cannot speak confidently to it, but the present regulations were introduced in 1831; that is, making 5 *s.* the minimum price.

1262. Have you observed the operation of the present system of selling land?—I think that the effect is good; those that have capital can acquire land to please themselves, and it prevents a great deal of jobbing.

1263. Have you bought land yourself under the new system?—I have.

1264. Did you buy it at the minimum price?—I got it at the upset price; what I had was hills, adjoining my other land, and I suppose that it may be the average of what was considered the value of it generally; there was no competition, because it was of no value to others.

1265. But there is considerable competition at times?—Yes, if they are lots lying between two grants, those proprietors may bid against each other and another person may come in; the highest land that was sold in the colony, when I was there, was what was called Ross-reserves; it was 32,000 or 34,000 acres.

1266. Will you conclude your account of this land; what was the Ross-reserve?—It was land that government had reserved for cattle that belonged to government; it had been all disposed of some years before; it had been put up for sale.

1267. In what situation was this land?—It was uncommonly high sheep pasture on the Macquarie River; the township of Ross was one part of it, and Camilton, which is the residence of the police magistrate, is about 7 miles from it.

1268. And at what price did this Ross-reserve sell per acre?—It averaged 18 *s.* an acre.

1269. Have you thought at all of the best system of selling land in the colony?—I think the best plan is by public competition.

1270. By auction?—Yes.

1271. Setting up all the land at the upset price?—Yes, it is generally now, when they sell the land, that application has been made for it by individuals; they make application to government, and it is advertised that such land will be put up for sale on a certain day; a public sale takes place, and at times there is a considerable competition, at others it goes at the upset price.

1272. Are there sufficient facilities now afforded to all persons by the extent of surveys?—I think so; there are a number of surveyors, and there is a great deal of it that has not been discovered yet.

1273. You are speaking now of Van Diemen's Land alone?—Yes.

1274. And all the good land in Van Diemen's Land is already occupied?—The greater part of it.

1275. There is very little of which the government can dispose?—There is land in a great number of places adjoining lots which the proprietors of that land wish to possess, and they will purchase it in course of time; they would not like it to go out of their hands if it was put up for sale.

1276. Upon what terms is the pasture land occupied when not bought; is there a rent at all for it?—Yes, there are some places where, during the summer, two months during the summer, you can pasture your sheep or cattle, and that is opened for the season at a very low rent indeed.

1277. What is the rent put upon it per square mile?—I cannot say at present, but it is very low, for it is merely for a few months in the year; the winters are so severe that you cannot keep stock upon it during the winter.

1278. Is there any right of pasturage attached to land without the ownership of it?—No; in New South Wales there is, but not in Van Diemen's Land; in order to compel proprietors to purchase the land, the public constables impounded the stock, that they found trespassing upon government land.

1279. By government land, you mean unsold land?—Yes, whichha s not been brought into the market.

1280. Are those police regulations effectually enforced?—They are occasionally, not perhaps very generally, but still if they are to have their stock subject to that, they would much sooner purchase than be subjected to that.

1281. Then

1281. Then is it a matter of favour the obtaining a grant of pasturage land from Government?—No, it is by competition.

1282. Is it put up?—Yes, it is put up to sale the same as other land is; I do not think there is any matter of favour in it.

1283. The right of pasturage for a certain time over a certain quantity of land?—Yes, to whoever can give most for it.

1284. Have you considered the system of selling land as compared with the system of granting land?—I consider, though the colonial press is of the opposite opinion, that it is much better to sell land; for one reason, I think we can have no free institutions as long as land is given away by the Government.

1285. Mr. *Gladstone.*] When you say that the colonial press is of an opposite opinion, does that remark apply to the colonial press of all parties?—Some of the papers that I have been in the habit of seeing, have said that the land ought to be given away again, and they say that the colony has been ruined in consequence of that system of selling.

1286. What is the general tone of those papers?—Most of them at present in Van Diemen's Land are opposed to Government.

1287. And are they the papers which are opposed to Government, which approve the system of selling?—No, the one which advocates the system of granting most strongly is the Hobart Town Courier, which is considered as a Government paper.

1288. Do any of the papers which are opposed to Government, advocate the granting land as preferable to selling it?—I rather think they do, but I am not confident in that respect; I see it frequently in the Courier, which is the Government paper.

1289. *Chairman.*] Have you any other reasons for preferring the system of sale to the system of grants?—I think it will make the colony much more independent; no independence can exist when people are looking up to Government for it.

1290. Do you think that it will promote activity and industry among the settlers?—I do not know that, but if there is to be a legislative council to be elected among the settlers, it will make them much more independent.

1291. Mr. *Scott.*] How do you keep your flocks during a severe winter?—The snow on the northern part never lies for 24 hours, and hardly lies at all where I was; I had but one field completely covered with snow, and flocks wandered about a good deal, and are much injured by it.

1292. But you can keep them on natural pasture all the year round?—Yes, I can; but in consequence of the winter being severe, and likewise the wind and rain in summer, we are obliged to keep a very light stock on the land.

1293. *Chairman.*] You allow, in your calculation, two acres for each sheep?—Yes, it is considered as fair average pasture land.

1294. Mr. *Poulett Scrope.*] Do you cut no hay upon this pasture land?—Originally the grass was long; but where the sheep ran over the whole of it, there is no long grass now.

1295. Mr. *Scott.*] You can lay it up for hay if you choose?—Yes; but the sheep ran over the whole of it.

1296. Mr. *Poulett Scrope.*] How many sheep will a single shepherd look after on the average?—With us, generally, from 700 to 1,000.

1297. And you found one man competent to that?—With detached sheep grounds there are two men; one is the hut-keeper, who generally gives his assistance; but when sheep have been accustomed to the ground, they never wander.

1298. Are all your labourers convicts or free labourers?—I had always a good number of free labourers.

1299. Did you find any great disposition in those free labourers to leave you and to become settlers?—No; they remained during the time of indenture as long as I wished them; they did not break their agreement.

1300. Is it a general complaint in the colony that the free labourers, not under indenture, leave their masters and refuse to work for hire?—I have heard so; but people take out men of indifferent character.

1301. Mr. *Gladstone.*] What wages did you give your free labourers?—They were engaged for three years. I paid their passage-money out, which was about 40 *l.* a head when I went out, and then gave them 18 *l.* a head, and some occasionally I gave higher; but I think about 24 *l.*, from 18 *l.* to 24 *l.*

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1302. Did you supply clothing and food?—No, not to the free labourers; not clothing; they are supplied with food.

1303. And also with lodging?—Yes.

1304. Can you give the Committee an idea of the relative expense of free and convict labour?—It is not an easy thing to do so, for sometimes you may get good convict servants assigned to you, and at other times very indifferent. Since I have been in Van Diemen's Land I have had only one appointed to me that was a ploughman.

1305. But of two ploughmen, one of whom is a freeman, and the other of whom is a convict, can you give an idea in such a case as that, supposing the circumstances equal, and the parties equally adapted in respect of mere circumstances, of the difference between the value of free and convict labour?—I have had some convicts that worked just as well as free people.

1306. Would the government in Van Diemen's Land sell any quantity of land to a person applying for it, however small?—Except in town allotments I do not think they sell very small lots; a quarter of a square mile is, I think, the smallest.

1307. Then that rule on the part of the government is in itself sufficient to account for the fact, that the labouring classes do not rapidly become settlers and proprietors of land?—They generally find it better to remain with their masters, getting wages, for some time till they can look about, to settling on land at once. It requires a considerable capital to settle on land.

1308. I understood you to say that they cannot buy less at a time than 160 acres?—Yes.

1309. Is there a facility of acquiring small lots of land of private individuals?—Yes, private individuals frequently sell or let their waste land.

1310. Is land often sold by private individuals in very small parcels?—I do not think so; generally a person, if he sells, if he has 2,000, or 3,000, or 4,000 acres, would sell it all at once, not in lots.

1311. Supposing an offer made for a small quantity of land for 10 or 15 or 20 acres, do you think that it would be accepted unless upon terms very high?—I hardly think it would, for people are more anxious to acquire property than to dispose of it.

1312. Supposing there was a general demand for lots of that size, would they not be brought into the market?—Yes, if the higher price was given; people would generally be inclined to let land perhaps on more advantageous terms than poor men and persons of small capital could purchase it at.

1313. Do you think that a very high offer would be necessary to induce persons to bring such small lots into the market?—I rather think so.

1314. Would not a person who had purchased a lot of a quarter of a square mile from government at a low rate be induced to divide that, and sell it in small portions, if there was a demand for it, at a high price?—Those lots, if they were sheep pasture, would be no object; it would be only land that was fit for cultivation that was worth buying. Originally a number of grants of 20, and 50, and 100 acres were granted to time-expired convicts; they generally selected land for cultivation, and those lots are occasionally in the market, and are not much improved by what has been done to them.

1315. Mr. *Poulett Scrope.*] But you find generally no disposition in the good labourers of the colony to leave off working for hire, and to settle upon those small tracts of land by purchasing?—No, I do not think it general; they do it ultimately, after they acquire some capital.

1316. But they work for some time, for a considerable number of years previous, for hire?—Yes; I can mention an instance in my own case. I had a farm servant that went out with me, and he got a grant of land shortly after his arrival of 200 acres, and he remained with me long after his agreement was out; he stocked his land; and when he left me to settle upon his land he was able to build a good house and live in comfort.

1317. Mr. *Gladstone.*] Was that grant of land procured through your intervention?—Yes.

1318. By way of favour by you to your servant?—They gave a small share to labourers going out, and I got him a larger one on account of his good character.

1319. Mr. *Poulett Scrope.*] He continued working with you for some time after having obtained his grant of land?—Yes.

1320. How long?—Several years.

1321. Mr. *Gladstone.*] Do you think that any part of that unwillingness in the minds

minds of settlers to sell land in small lots is to be ascribed to a jealousy of the labourers becoming landed proprietors, and the labour market thereby becoming much narrowed?—No, I do not think it is that; but there is one reason, that people holding large sheep farms have been averse to sell or get leases to time-expired convicts, because they often stole their sheep when they were settled upon the land as cultivators. Captain *Wood*. 30 June 1836.

1322. *Chairman.*] Have you any other circumstances which you wish to state to the Committee?—I think that land in New South Wales and Van Diemen's Land should be granted as at present, but with regard to the Swan River, I think that something else should be done.

1323. What is that something else?—People who went out there are in a most miserable condition generally, and have no means of putting stock upon their land. Nearly two years ago I suggested to the Colonial Secretary to give grants of land to people that would carry stock there from the Cape, New South Wales, and Van Diemen's Land; to give part of that land for a certain period to the old settlers, to enable them to stock their land.

1324. But the great mass of the land at Swan River is already given away?—There are acres quite unappropriated; it is merely Perth and that part that much land has been granted, and the finest land has been discovered since.

1325. Have many of the original grants at the Swan River escheated to the Crown?—I believe not; I believe that a great quantity has been sold at very low rates.

1326. By the proprietors of the original grants?—Yes.

1327. Have you been in the Swan River?—No, I have not; but I have had a great deal of communication with people who have been there.

1328. What are the general accounts of the state of the colony?—I think that it has great capabilities; that it is fine land for sheep.

1329. But that there is no capital and no stock there?—No capital, and very little stock.

1330. And that the inhabitants are in very great distress?—Most of those who had the means have left it.

1331. And those who remain are in a state of great distress and suffering?—One of Mr. Fergusson's tenants, who was a most extensive farmer in Fifeshire, went out there with eight children, and they have now nothing but a kangaroo, when they can catch one, to subsist on.

1332. And he took out a small capital to the Swan River?—He had been unfortunate before leaving this, and I suppose he took out implements, which were, however, of no use to him. Most of them took out ploughs and carts, which were of no use.

1333. You mean that there was no labour to be obtained in the colony to cultivate the land with?—There were plenty of people went out, but they could not subsist them.

1334. Mr. *Poulett Scrope.*] You said you considered that the present system of the sale of land ought to continue; do you think it would be beneficial to raise the minimum price at which Government should sell its lands to 1 *l.* or 2 *l.* per acre?—No, I do not; the land in Van Diemen's Land that is likely to come to market now will never be worth 2 *l.* an acre.

1335. Mr. *Gladstone.*] Would your objections to such an increase of price be removed if a provision were made that the whole produce of the sale should be applied in introducing labour into the colony?—It is not that, but that the land is not worth it.

1336. You mean that the natural powers of the soil are not such as to make it worth the application of labour at that price?—There is a great part where rocks come to the surface; there is a little peat upon it, but it will never be worth 2 *l.* an acre.

1337. Is there a very small portion of good unappropriated land in Van Diemen's Land?—I think very small.

William H. Burnley, Esq., called in; and Examined.

1338. *Chairman.*] THE Committee are informed that you have resided a great part of your life in the colonies, and have turned your attention a good deal to the subjects of emigration and colonization?—I have resided above 30 years in the colony of Trinidad; and seeing for many years past that there was a determination *W. H. Burnley*, Esq.

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in this country to emancipate the slaves, I very naturally and anxiously turned my attention to the means by which we should be enabled to cultivate our estates when that period arrived.

1339. You are a proprietor in the island of Trinidad?—I am; I own several sugar estates.

1340. Have you heard the evidence of the preceding witnesses, as given before the Committee; and will you state to the Committee what your opinion is of the plan that has been developed here?—I have heard the evidence, and when last in England, in 1833 and 1834, I read the work entitled "England and America." I was immediately struck with the new principle developed in that work, which completely and entirely tallied with all the experience I previously had acquired amongst unsettled and uncultivated lands, and I consequently read it with the greatest attention.

1341. Have you had any experience or information derived from other colonies than Trinidad in support of your opinion in favour of the plan which is developed in the work to which you have alluded, and which has been adopted to a certain extent in the South Australian Act of Parliament?—I have. I went to the colonies in 1834, a short time previously to the Emancipation Bill coming into effect, with the view of ascertaining, in the first place, how that measure was likely to be carried into effect, and, secondly, with an intention of visiting other tropical countries and colonies, to observe how free labour was carried on in those places where it existed. I visited, in consequence, many of the small islands in the Antilles; I was in the French island of Martinique, the Danish islands of St. Thomas and St. Croix, the colonies of St. Vincent's, Barbadoes, and I particularly visited Antigua, where the whole of the slaves had been suddenly and entirely emancipated. In the republic of Venezuela, I passed through Cumana, Caraccas and the valleys of Aragua, embarking at Puerto Cabello for the Dutch island of Curaçoa, proceeding from thence to Jamaica, Cuba and the United States, for the particular purpose of making inquiries relative to free and slave labour in all these states.

1342. Mr. *Gladstone.*] Did you not include Hayti?—I did not include Hayti, though I had great anxiety to do so; but from Curaçoa I could find no opportunity of proceeding to Hayti. I went in consequence to Jamaica direct; and, in fact, I had not sufficient time, without renouncing my visit to the Havannah, for it was then the month of June, and I found it necessary to be in England by the month of October.

1343. *Chairman.*] What information can you give to the Committee, derived from your acquaintance with the island of Trinidad, that bears upon the question of free labour?—The island of Trinidad presents a very wide field of observation with respect to free labour, more so than any other British colony. The exact number of the population we do not know; the statistical account of the slaves was very correct, but of the free inhabitants it was always difficult to procure an exact census. I should say certainly there are about 48,000 and under 50,000 inhabitants in the island, of which not more than 21,000 or 22,000 were slaves, the remainder were free people; consequently half the population always consisted of free inhabitants, a great many of whom are labourers occasionally working for wages; so that the planters were always in the habit of employing some free labour upon their estates.

1344. And of what classes of men did those free labourers consist?—There was the great body of free labourers of whom I have spoken, who generally were a mixed race of all colours, consisting of a mixture of African and European blood, of African with Indian, and occasionally a mixture of all three. But in addition to this free population, there were several settlements formed by government in the colony; one in particular, of American refugees, originally American slaves, who, I believe, in consequence of a proclamation during the American war by Admiral Cochrane, ran away from their owners, and escaped on board the British ships of war. They were first settled in the island of Trinidad about the year 1816, to the number of 774. There were, besides, disbanded soldiers from the African regiments which were broken up at the conclusion of the war, who were established in two distinct settlements, to the number of 800 and upwards. We have, besides, native Indians, aborigines of the island, found in the colony at its capture, and settled under the protection and surveillance of the government, and of certain Catholic priests attached to the missions, as they are termed; and latterly have been added about 1,000 native Africans, captured by our cruisers and liberated by the mixed commission

commission at the Havannah, who were sent from thence and landed in Trinidad. These different classes constituted the elements of our free labour.

1345. Were any of those settlements under the special protection of government, and how did they succeed?—All of those already described, except the great bulk of the free population. The American refugees, the African soldiers, and the native Indians, were all under the protection of the government. Viewing it as an experiment for the purpose of enabling us to cultivate estates by free labour alone, I must say it has not succeeded; they always afforded some little assistance to the planters who had estates in the neighbourhood, but it could not be depended upon, as they rarely applied for work unless they were suffering from want, arising from the failure of their crops, either from bad seasons, or from idleness and inattention to the cultivation; for the government, on the first establishment of the American refugees, gave to each settler 16 English acres of land gratis; when I say gratis, I mean nothing was required as the purchase-money, but they were expected to pay an annual quit-rent of 6 *s.* 6 *d.* sterling for the whole 16 acres, of which not one farthing has ever been paid, nor has it ever been possible, by any means, to compel them to do so.

1346. Mr. *Gladstone.*] Do they raise no marketable produce?—They cultivate small patches of ground, such as are usually termed negro gardens; and they raise a small quantity of poultry, and occasionally pigs; but they cultivate nothing but vegetables, such as plantains, potatoes, and other ground provisions. I have heard some statement of a few coffee and cocoa trees being planted by them; and I believe that while they were under the care of a superintendent, who was extremely anxious to advance them, for he received a salary from government, and his situation depended greatly upon the success of the settlement, he induced some of them by persuasion to plant a few coffee and cocoa trees.

1347. Have they nothing that furnished them with money?—Nothing beyond the occasional sale of the vegetables and poultry which they raise.

1348. Might not the payment of a quit-rent be collected from the produce of these articles?—No, I made that inquiry myself, of the superintendent. A committee was established in the colony in 1825, for the purpose of examining into the state and condition of these settlers, and I put that particular question to the superintendent; for independently of the quit-rent, all the expenses of the medical hospital were left unpaid. The government furnished them with medicine and medical attendance, for which it was expected they should pay a small sum quarterly; but they could neither pay for that nor the quit-rent; and he gave as a reason for the impossibility of making them pay by levying upon their fowls and other effects, that if he did so, they would abscond and leave the settlement, where he had great difficulty in keeping them as it was.

1349. *Chairman.*] The settlements then under the care and protection of the government, have not succeeded better than the ordinary free labourers in the colony?—I should say that they had not succeeded as well, for the free labourers have been bred up in that condition, and having known from their infancy that they had nothing but their own exertions to depend upon, they have accustomed themselves to that necessity, and do generally maintain themselves in some way or other; but these American settlers, I believe, occasionally would have perished from want if it had not been for the existence of the estates and the slave-owners in their neighbourhood.

1350. Do you mean that they would have perished from want, notwithstanding each individual had had 16 acres given to him by government?—Decidedly, in many instances; for the seasons are precarious, and many of them had not sufficient forethought to reserve, out of an abundant crop, the means of maintenance until the next crop arrived; consequently the planters generally knew the seasons when those persons would always be dependent upon them.

1351. Mr. *Gladstone.*] Arising out of the improvidence of those people?—Yes; they had rarely sufficient to maintain themselves at those periods; I am speaking of them now generally as a body; there were many individuals amongst them of a different description, men who have acquired and are acquiring property there at the present moment.

1352. *Chairman.*] Do you conceive that their labour was rendered more unproductive than it would have been, under other circumstances, by the very fact of their being separated on their little holdings of 16 acres each, which were given to each man by government?—I have given a decided opinion upon that subject already, in stating the view I had taken of the subject since reading "England and America,"

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America," combined with my personal knowledge of occurrences in the island of Trinidad; from these circumstances, I think certainly that the American refugees would have done much better for themselves and the colony if they had been kept in the class of labourers working for wages, instead of having 16 acres of ground given to them before they were in possession of the qualifications by which ground can be profitably cultivated, or at least before they were in possession of those qualities of mind and habits of economy which will alone enable a man to cultivate an estate, as a proprietor, to advantage.

1353. Mr. *Poulett Scrope.*] You are referring, are you not, to the class of runaway slaves from America, disbanded soldiers of an African regiment, and the native inhabitants; or only to one of those classes?—I am referring to the two first classes at present; but more particularly to the American refugees, as they are termed. The liberated Africans have been placed under very different regulations; no land has been given to them; they are merely apprenticed for a short period amongst the planters, and receive wages per day for their labour during the continuance of their apprenticeship.

1354. Those whom you speak of as having led so wretched a life on those 16 acres of land, were a class of persons who had never been habituated to work for wages?—Never before their arrival in the colony.

1355. Do you not attribute it in a great degree to that circumstance that they have failed in supporting themselves or in having recourse to free labour under the circumstances described?—I attribute their failure partially to that circumstance; I think that if instead of having 16 acres of land given to them, they had been compelled immediately on their arrival in the colony to labour for wages, they would have gone on very comfortably, and would have been enabled by their industry to gain a subsistence from day to day, or from week to week; but not being in possession of the qualities required for labouring on their own account, they had no idea of providing for the day of scarcity whilst they were in the midst of an abundant crop and in the enjoyment of superfluity.

1356. Mr. *Gladstone.*] Do you approve generally of the regulations under which the liberated Africans have been sent to Trinidad recently?—An answer to that question would lead me into a very wide field; I may say that I approve very much of most of the regulations, whilst others I highly disapprove of.

1357. Do you approve of the general principle of their being transported there, and their being sent to work as labourers instead of being located on land?—I certainly think that if they were located on land given to them, it would be the most disadvantageous and absurd measure that could be adopted. To apprentice them for two or three years, as has been done, is the best plan; they are very ignorant, and probably they have been habituated only to slavery on the coast of Africa. They certainly require to be supported for a time, till they are acquainted with the seasons, with the population of the island, and with the ordinary modes of proceeding in society to enable them to maintain themselves in any way.

1358. Do you employ any of them on your own properties?—I have some on one of my own estates.

1359. Have they worked well?—Yes.

1360. Might the American refugees have got good wages upon the estates of planters if they had been so disposed?—They might have got high wages.

1361. There has been generally a deficiency in Trinidad with reference to free labour?—Very great.

1362. You said that some of those refugees had acquired property, were industrious and well-doing persons; is that a small or a considerable portion of the whole uumber?—I should say a very small proportion.

1363. On your own properties as on others, I suppose that many negroes have acquired property; comparing the condition of the negroes upon sugar estates with the condition of the American negroes, can you say that the proportion of the American negroes who have acquired property is greater than that of the negroes on estates?—I can only speak to that point from the inquiries I have made of others, not having resided myself in the neighbourhood of the settlements of the American refugees; but there is much evidence existing on all these points, taken by a committee in the island, of which I was a member, which was laid before The House of Commons, and is to be found amongst the Parliamentary Papers of the Session of 1827. I took a great deal of pains in collecting the evidence therein contained, and I applied to every person who could give me the best information; to the superintendents of the settlements; to the planters who resided in the neighbourhood,

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neighbourhood, and generally to every person who I thought could inform me; and that evidence contains the principal information in my power to give.

1364. Could you give your opinion upon this single point, whether more property was found to be realised among the American negroes than among the negroes on the sugar estates?—I should say not; because in riding through the settlement of the American refugees early last year, for the purpose of observing what change had taken place in their condition within the last three or four years, they appeared to me to be rather retrograding; there was less of cultivation around them, and in fact you might imagine that you were riding through a wood, but for certain openings in the bush, which led to their houses and gardens; the whole of the land on each side of the public road had grown up in copse, as high as a horseman's head, and I think the settlement is certainly retrograding. This may be supposed to arise from the superintendence which originally existed having been latterly relaxed. Government, I believe, has ceased to pay the superintendent's salary, and the refugees are now left to their own resources and management.

1365. What is the total number?—Seven hundred and seventy-four was the total number of American refugees originally, including a few African women, who were located with them for the purpose of equalizing the sexes.

1366. Are you aware whether they have increased in numbers considerably?—I believe they have.

1367. *Chairman.*] But without any improvement in their condition?—Without the slightest improvement in their condition. Their natural dispositions I believe would have led them to have deserted the settlement, and to have located themselves amongst the planters; but the regulations of the settlement, as framed by Sir Ralph Woodford, obliged them to remain there.

1368. Mr. *Gladstone.*] Do you think that they would have been willing to work on sugar estates, and have subjected themselves to continuous labour?—No, they would have worked only as they found it convenient.

1369. Mr. *Poulett Scrope.*] Then these American settlers, if they had not been tied down to the spot by government, would have become labourers for hire?—I do not think they would have become steady labourers for hire, but I think they would have worked in proportion to their wants, and to relieve their immediate necessities; they would have settled, probably, on other patches of ground, but they principally disliked to be under the superintendence of the police which prevailed in the settlement, where, if they got drunk or misbehaved themselves, they were liable to be punished immediately; they would rather have located themselves in the neighbourhood of the planters, where they would have had the society of the slaves and have been perfectly independent.

1370. Mr. *Gladstone.*] Do you think that they would voluntarily have placed themselves in dependence upon the planters, or that they would have come into contracts with them?—They would not have placed themselves in dependence upon them, but would have worked for them as they have been in the habit of doing.

1371. If they had left their settlement, they would have been subject to the planters for their entire subsistence, would they not?—What they would have done if they had left the settlement, I can only speak to hypothetically, because they are not permitted to leave the settlement. There is an immense quantity of public or Crown land in the island of Trinidad; in large districts the estates are settled in a belt on the sea-shore, and in many instances there is only one line of estates in front, and immediately behind them are Crown lands. I think they would have settled adjoining those estates on the Crown lands, if they had been permitted. In those situations they would have cultivated some land on their own account, and would have worked for the planters for wages only when they found themselves in want.

1372. *Chairman.*] What is your opinion of the results of free labour as you have seen them hitherto in the island of Trinidad, as bearing upon the future prosperity of the free labourers of that colony?—My opinion decidedly is that, if no new system is adopted, if we are to be allowed to remain as we are at the present moment, without further measures being taken, the cultivation will be in a great degree abandoned, when the period of entire emancipation arrives; and I think, consequently, that the free population will be frequently exposed to great destitution, because I am satisfied that in the present state of the colony, in numerous instances, they would suffer, and many would perish if it were not for the existence

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of the estates immediately in their neighbourhood, which always furnish them with some employment whenever they choose to come and demand it.

1373. Do not you conceive then that the planters will be able at all times to furnish employment to the emancipated negroes, and be able at the same time to keep up the cultivation of their estates, and the working of their establishments?—Certainly not, for the planters hitherto have always had a sure and steady resource in the labour of their slaves; consequently their establishments were kept up, their machinery kept in full operation, and they were enabled to carry on a profitable cultivation by the labour which they commanded; but if they are to be left altogether to the chance of procuring labour, I consider that although it may be possible to continue the cultivation of cotton or coffee, or cocoa, which requires no great capital to carry it on (though even the cultivation of those articles I am sure will diminish in a great degree), yet I conceive it to be perfectly impossible to keep up a sugar cultivation under such circumstances.

1374. Why should a sugar cultivation be more difficult to support than the cultivation of cotton or coffee?—The reason why sugar cultivation requires more continuous and better combined labour, arises from the requisite machinery being extremely expensive, so that a great loss is incurred the moment the machinery becomes idle. Then it is a cultivation which requires a direct and immediate combination of manufacturing with agricultural processes, and some of so delicate a nature that the delay of a few hours will create very great loss indeed. After the juice is expressed from the cane, if not boiled off immediately, the acid fermentation commences, and the whole of the liquor is lost. The canes must always be ground within a short period after they are cut; if they are kept for two or three days, which accidentally and for want of sufficient labour occasionally occurs, it is necessary, before they can express the juice, to cut off the outer joints which have been exposed to the weather, otherwise they would throw an acid taint into the whole body of the liquor, which would be entirely spoilt; consequently, not only do you require a perfect combination of labour on a sugar plantation, but also the command of that labour at the particular moment at which it may be required.

1375. Mr. *Gladstone.*] Generally there is a greater severity of manual labour, as well as a greater amount of skill, required in the cultivation of sugar than in the cultivation of coffee, is there not?—No, I should say not severer labour; that has been frequently asserted, but generally speaking, a man will only do a day's work; if it be harder, he will take it more coolly and slowly; I do not think myself that this is a very material point; as higher wages are always given on a sugar estate, you can generally get labourers as easily to work for hire as you can upon a coffee or cocoa estate.

1376. *Chairman.*] The work in a sugar plantation is not much severer as compared with the labour on a coffee or cocoa estate, than the work of the labourer in harvest time is harder than his ordinary work, but you would give them higher wages?—I should say that a case in point is that of mowers in this country; their labour may be a little harder, but there is no difficulty in procuring them at a price, nor do I conceive there would be any difficulty in getting labourers to cultivate the sugar estates.

1377. What principle should you propose to adopt to secure the supply of free labour, now that this apprenticeship system is about to expire?—At the present moment I am under great alarm and anxiety with respect to the results of emancipation; I see no certain mode of carrying on the cultivation of our West India colonies, unless the plan now proposed by Mr. Wakefield is carried into execution; this is the view which I have taken of the subject. My sole hope now is founded upon that plan being carried into execution.

1378. You mean a plan of affixing a price to land, and using that as a fund to increase the supply of free labour?—Decidedly.

1379. What should you consider a sufficient price for land in colonies situated like Trinidad, in order to secure a continuous supply of labour for wages applicable to sugar estates?—I feel myself quite at a loss to fix any price as a sufficient price; I think it is dependent upon a variety of circumstances, upon the fertility of the soil, the rate of wages at which the labourers will consequently be paid, and probably a good deal upon the race of labourers that are to be employed; but the principle of establishing a price for land I hold to be this: not so much for the purpose of apportioning the number of labourers to an acre of land, but principally to secure the comfort of the labourer himself; consequently, I should say that the chief object

object in putting a price upon land is to prevent any labourer from ever hoping or expecting to become a proprietor, who is not by nature or by education qualified to undertake successfully the cultivation of land on his own account. This I consider to be the foundation of the whole scheme, and if it cannot be defended and supported by showing that it is for the good of the labourer in the first instance, I do not think that it will be found correct throughout; but as far as I have given attention to the subject, I think that the natural consequence of obtaining the first object, will be to produce all the other results which have been pointed out as desirable. I can fix no sufficient price, but I think it should be higher in fertile colonies than in those which possess only second-rate lands; and I think that a labourer in all colonies should be obliged to save the wages of at least three or four years before he is enabled to purchase land to work on his own account.

1380. Mr. *Gladstone.*] If you would withhold from him the occupation of land, except for such a sum as he would save in the course of three or four years by wages, would it not be a part of your plan to fix a minimum quantity of land, below which none would be sold?—Yes, I am of opinion that the allotments should be large, for a variety of reasons. I am satisfied, looking particularly to the island of Trinidad (and I profess to have little experience anywhere else), that the largest estates are cultivated the most economically; it appears to me that the more you introduce machinery into agricultural processes, estates necessarily become larger. If land could only be cultivated by a spade, a very small plot of garden-ground might be as profitably cultivated in that way as a larger; but the moment the use of a plough was introduced, the additional machinery and capital requisite necessarily extended the size of estates for economical cultivation. Now sugar estates require more expensive machinery and works than probably any other cultivation existing, and consequently a large estate is cultivated more economically than a small one. The tendency latterly in Trinidad has been towards large estates. The Spaniards originally settled on small properties, for they had little or no good machinery; of late years purchasers have joined small estates together, and thrown them into larger; then the cultivator of a large estate is more able to lay out money to introduce improved machinery, consequently the one process reacts upon the other, and larger estates are the result: as such I should recommend that the allotments of Crown lands sold by Government should be rather too large than too small, as the defect most easily remedied.

1381. Could a negro easily save 20*l.* in a year, supposing him to exercise all possible economy?—I should say that the average of wages in the island of Trinidad, for field labour, is not less than 2*s.* sterling a day for a free labourer.

1382. How much would an apprenticed negro save and have to dispose of for the purchase of land at the termination of apprenticeship?—At present the West India colonies are in a very extraordinary position, and I do not think that any sound information as to the future could be derived from their present state; I believe in many instances the sugar planters in Trinidad are giving at present very nearly 1*s.* for the apprentice's extra labour of two hours and a half.

1383. The whole or nearly the whole of those wages the apprentice may save if he is so disposed?—He may decidedly save the whole of it.

1384. During the course of the apprenticeship, then, he may accumulate such a sum as will enable him to be a purchaser in spite of any price you may throw upon land, if he is enabled to purchase land in very small quantities?—Certainly, every negro who has sufficient forethought and economy to content himself with the full subsistence furnished at the present moment by his master, may save the whole of the wages derived from his extra labour, for under the present system he is supplied with every comfort that a labourer can require.

1385. Would it follow then because he had forethought and economy sufficient to save that money, that he would therefore be likely to become a profitable cultivator of the soil, with a view to his own interests hereafter?—I think he would; but I do not think there are more than one in ten that would proceed upon that economical principle.

1386. Do you think that the one in ten whom you have supposed would be in a condition, as regards his general abilities, to cultivate the soil in a way which would be profitable to him, and place him in a good position as a member of the community upon his own account and his own resources?—I have already stated that without forming any very definite opinion as to the limitation of time, I think a labourer should be obliged to work for wages for the term of three years at least. In the case supposed he would labour for four years, and would exhibit all those

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qualities of economy and forethought which I suppose necessary to enable a labourer safely to cultivate on his own account. I think, therefore, that he would be entitled to become a proprietor of land, and that I should not apprehend any want of general industry on his part; but I should not think it a very profitable system, or one to be encouraged in the colony, as I do not think it would ever lead to the production of any exportable produce.

1387. Mr. *Scrope.*] Take the case of free labourers; you stated that the average wages of free labour were 2 *s.* a day?—I have given that sum as an average; but everything relating to the labour market at the present moment is extremely unsettled in the colony. Wages depend a great deal upon the ideas of individuals. The market for sugar, our principal export, is in an unsettled state; it has latterly been rising, and many have given much higher wages than 2 *s.* I state 2 *s.* generally, looking to the state of the markets for the last eight or ten years, in which case I believe that a proprietor of land in the island of Trinidad could well afford to give 2 *s.* a day to the labouring population.

1388. What is the annual cost of the subsistence of the labourer?—Positive subsistence, without any luxuries, sufficient to keep a man there in perfect health, may be obtained for one dollar per week, living simply on salt fish and vegetable food, with no excess in spirituous liquors.

1389. What is that per day in English currency?—A dollar is about 4 *s.* 4 *d.*

1390. Mr. *Gladstone.*] Would the mere food of the labourer cost so much as that in Trinidad?—I think it would nearly; I have mentioned a dollar as a round sum; the ordinary allowance given to every slave was 4 lbs. of salt fish per week, very little more than half a pound per day, which, when purchased in retail, added to other necessary articles which they would require, would amount to that sum.

1391. Mr. *Scrope.*] At all events the subsistence of a labourer would be considerably under 1 *s.* a day; therefore he would be able to save 1 *s.* a day?—No, he would have to purchase his clothes and furniture.

1392. What would be the sum he might save?—I cannot decidedly reply to that; much would depend upon the state of civilization in which the labourers were placed; a very small stock of clothes is necessary in that climate, and, as a positive want, is hardly required.

1393. What do you conceive to be the quantity of land upon which an independent labourer may maintain himself and his family with comfort, procuring from the sale of his surplus produce the clothing and ordinary comforts which he may require in that colony?—I think, without knowing particularly any individual case which has occurred, that a man with a family may maintain himself in Trinidad upon as small a spot as a couple of acres of ground, or possibly less, as the land is particularly fertile and produces in great abundance; I think some extraordinary calculations are to be found in Humboldt, in which he has proved that an acre of ground would maintain a much greater number of persons; but I have had no opportunity of ascertaining exactly the fact.

1394. Therefore, supposing the labourers to be extremely desirous to live upon their own lands instead of working for hire, it will be necessary, in order to counteract that desire, and to force them to work for three or four years for hire before they can purchase land, to affix such a price upon it as would prevent the labourers from obtaining two or three acres by less than the savings of three or four years' labour?—Yes.

1395. *Chairman.*] Does not the question which has been put by Mr. Gladstone bear upon that point, that you would, in addition to fixing a price, fix a certain quantity, below which land should not be put up for sale?—I think decidedly that land should bear a price in those colonies, and that a high one.

1396. But in addition to that, you would say that land should not be put up to sale in very small lots?—My opinion is, that in the first instance it should be put up for sale in large allotments, and that afterwards a further provision will be required, to prevent those allotments from being subdivided and retailed for profit at a low price; for I do not conceive that any price that Crown land can reasonably be raised to in that colony, will ever be sufficient to counteract the tendency and desire which, looking to the character of the negro race, they would have of settling themselves upon small plots of ground.

1397. Mr. *Scrope.*] Then it being assumed that the labourer could save at the rate of 15 *l.* a year, in order to prevent his purchasing two acres of land from the saving of less than three years' labour, it would be necessary to prevent his obtaining land under the price of 45 *l.* an acre?—I do not think that labourers will save

15 *l.*

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15 *l.* a year; neither should I think it would ever be necessary to carry the principle of the price of land to that extent, because I am sure that it is not in the nature of the labouring classes universally to save. From the observations I have made, I should think there are a very few, a very small proportion that will save, and that the great majority of them will expend their wages, whatever the amount may be, from day to day, or from week to week; so that I should not think it necessary, for the establishment of the principle recommended, to put anything like so high a price upon land as 45 *l.* per acre; but I have not sufficiently considered the subject to decide upon the exact price to be put upon land. It is a very important matter, open to future consideration; but I think that the price of a single acre should be greatly higher than any price that will be placed by Government upon the sale of allotments of Crown land.

1398. If the labourer has so strong a desire to obtain possession of land from the savings of his industry, that desire will lead him to save and accumulate for that purpose?—It may induce some to save, but I do not think that feeling will ever be carried to any great extent amongst the great body of the labouring population; much probably will depend upon the first working of the whole system after emancipation. If the labourers find that they immediately get good and steady wages, and that they are living comfortably, I think a very large proportion of them will be well satisfied with that condition; but if, by too great a facility in procuring land, they are early enabled to establish cottages and provision-grounds for themselves, it may unfortunately become the fashion amongst them, and be very difficult subsequently to alter.

1399. But you think that if the labourers are induced, under the apprenticeship system, to become constant and steady labourers for hire, they will not be apt to desert that course of life and to refuse to labour for hire, even though they should have the offer of tracts of land upon which they might settle at a moderately low price?—Everything would depend upon the price put upon the land; all of them would take it if they could get it for nothing. I think, at the same time, notwithstanding the calculation of what a man might save if he were disposed to save to the utmost, that a much less price than 45 *l.* per acre would be necessary, for I look upon the African race to be improvident, luxurious in their tastes, very imitative, and disposed to go to any expense in their power to copy those who are settled around them; so that I do not think that more than one out of 10 could ever be induced to save his wages for a whole twelvemonth.

1400. You said, according to that, a moderate price would be sufficient for the purpose?—A price much more moderate than that which has been stated, taking into calculation what a man might save, if he saved everything beyond subsistence.

1401. Mr. *Gladstone.*] Is there not this objection to laying on a very high price per acre, that it might operate as an obstruction or even as a positive prohibition to emigrants from the mother country?—I profess only to be acquainted with some practical portion of the subject; but I would by no means recommend a very high price to be put upon allotments of land; I am quite of opinion with the witnesses who have preceded me, that it should be only a sufficient price, a price which would prevent the labourer from getting possession of land before he could cultivate it with advantage to himself or the community.

1402. But you have stated that what would be a sufficient price in other colonies, would be an insufficient price in Trinidad, and therefore the price at which waste lands there are to be disposed of should be a high price?—I wish to insist only on this principle, that the price ought to be sufficient to oblige the labourer to save his wages for not less than three or four years before he became a proprietor; and in a colony where the land being fertile would enable the owners of estates to give high wages, I think that the price of Crown land should be fixed higher than in other colonies, where the soil being inferior, wages would necessarily be lower.

1403. Do you think that by a judicious distribution of houses and gardens, giving them as a matter of reward, and encouraging that disposition which the negroes have to attach themselves to the spot to which they have been accustomed, many may be induced to remain where they are, and that the disposition to become proprietors may be in a considerable degree counteracted?—I see no difficulty in their being made good and steady labourers under proper encouragement, if they are not to be allowed to cultivate land on their own account.

1404. Do you see any great difficulty in attaching them to their present location as tenants, and removing that disposition to become proprietors, independently of any prohibition?—I should say that every prudent proprietor would take care,

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before the period of entire emancipation arrives, to be furnished with houses for all his labourers, and under those circumstances I believe they will in preference remain on the spot to which they have been accustomed, and where a great number have been born and bred; but I think that nothing will prevent their forming settlements on their own account at a distance upon the public lands, if they find any facility in so doing.

1405. Comparing the disposition of the labouring population of the West Indies with that of the white free population in the United States of America, or in the English colonies, do you think that there would be a greater disposition in the former, that is, the population of the West Indies, to settle upon very small portions of land than in the others?—Most decidedly, for this reason: it has been correctly stated by one of the witnesses preceding me, that the white labouring population of America and Canada have a great ambition to possess large estates, being anxious to place themselves in the same situation as to power and influence which they have invariably observed men of large landed property to possess in this country; but I do not think that the African has any feeling of that description. In the colonies in which he is settled, he sees only white proprietors of large estates; but looking to his recollections and associations in Africa (and at the present moment one-third of the apprenticed labourers in Trinidad are Africans), I think that his present ambition would be limited to a small garden, and a small and miserable house, something that he could build in three or four days out of the forest in his neighbourhood, which he could remove and replace whenever he required it, and which, as far as regards taste and habit, probably affords to him a pleasanter residence than a house built in the European style.

1406. Do you think that if he were removed from contact with the white population, his wants and ideas of civilization would gradually become more and more contracted?—I think it most probable, but I cannot speak with any practical knowledge of such a case. No persons can be more imitative than the Africans are, and I certainly think that their being in contact with a white population more civilized than themselves, will in a great degree tend to civilize them, provided they are under a liberal government, and provided they are placed on a footing of political equality in every respect; at the same time I do not think that in the United States of America the association of the two classes of labourers has been advantageous or is likely to be advantageous to the African race.

1407. *Chairman.*] From all that you have said, the Committee may conclude that you think that no precise price can be fixed on public lands at the present moment; that it must be subjected to the test of experience, and that the price may be lowered or raised till at last what you call a sufficient price is attained?—I certainly think that a sufficient price cannot be settled immediately; that seems also to be the general opinion of gentlemen who have studied the subject much more than I have; but I have formed a very decided opinion on this subject, that the price when once fixed should never be lowered; and seeing the impossibility of fixing the just price in the first instance, I would rather see it fixed too low than too high.

1408. And gradually to raise the price afterwards?—Yes, because it would create great alarm amongst capitalists and owners of land, if they saw any probability of the price being lowered below that at which they had previously purchased; besides, in such a case the power to lower a minimum price, would include a power to lower it to nothing, which would be destructive of the principle of the whole measure as far as I understand it, consequently, I think that the price, if altered, should be made to rise gradually, and never to be lowered; and the Committee will observe, that this is the natural course in every new-settled colony, where the price of occupied land never falls, but continues to advance gradually.

Lunæ, 4° die Julii, 1836.

MEMBERS PRESENT.

Mr. Ward.	Mr. Poulett Scrope.
Mr. Hutt.	Mr. Scott.
Mr. William Gladstone.	Mr. Henry Lytton Bulwer.
Mr. Francis Baring.	Mr. Pusey.
Mr. Chalmers.	

MR. WARD, IN THE CHAIR.

William H. Burnley, Esq., called in; and further Examined.

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Witness.] I WISH to be permitted to make an explanation before the examination commences, on the subject of the liberated Africans. I stated, in one portion of my evidence on Thursday, that they received day-wages for their labour; and in another part I have stated that they require to be apprenticed and supported to enable them to maintain themselves. These two assertions appear rather inconsistent without further explanation; but the fact is, that they are apprenticed and supported as fully and entirely as the apprenticed labourers, and they receive besides small daily wages, for it was considered advantageous to give them some trifling pecuniary remuneration to induce them to work steadily, for no power of punishing them is given by the Bill, such as masters have over apprentices in England. They can only take them before the magistrates and lodge a complaint, which, as against Africans not understanding the language, was thought would be perfectly useless. Wages, therefore, which could be stopped in the event of their not doing their duty, were given as a more efficacious plan.

1409. *Chairman.*] Did they understand the principle of wages, and had it a good effect upon them?—The system has not been long in operation in the colony; but from all the information I could procure, it appeared to work very well, and the Africans seemed to understand the use and value of money perfectly. Whenever I visited my own and other estates I was always in the habit of inquiring for the Africans, to ascertain their progress, and they always expected some little present, after I had been talking and making inquiries about them. In one instance, where four or five of them were assembled, I had no small change, and gave to one of them, who appeared to be a leading person, half a dollar, to be divided amongst them, there was a good deal of squabbling about the division; the others seemed to think that he would not give them their fair proportion; and I found that they fully understood the use and value of money.

1410. Would you deem it preferable to dispose of the land, if sold at a fixed minimum price or by public auction?—Upon the whole, I should think it preferable to dispose of it at a fixed minimum price. I do not think the system of auction would be particularly advantageous; it would certainly not prevent jobbing. Much influence would be made use of in a young colony to prevent one person from bidding against another. I am certain that an unpopular man might be made to pay very highly for his land, whilst a popular person would get it generally at the minimum price; much also would depend upon the nature of the government. In a Crown colony, it would be a bold man who would dare to bid against a person known to be a friend of the governor, or of any person in authority. The sale by auction would always create delay; because, to render it of any utility, it must be previously advertised that some individual wishes to purchase a particular tract of land, and a public sale must be fixed at some distant day, to enable the community to be aware of it. I think that this delay would throw discouragement in the way of the sale of

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land; and I can see no disadvantage in disposing of it at the minimum price to the first applicant. It is not proposed to be sold for the purpose of revenue; and if the first applicant should secure the best land, he is entitled to it from having first discovered it. Even then he has no great advantage over the rest of the community, for the first cultivator of the wilderness has to encounter a great many difficulties from the want of combined labour; and every one who comes after him finds advantages derived from the labour of the first settler; and although the latter may receive inferior land, he generally makes it equally profitable; and it will invariably be found in the settlement of every new colony, that the first rejected land ultimately sells at as high a price as the best land did in the first instance. I therefore think it preferable to sell the land at a minimum price; and the previous survey being made, that the first person who comes and puts his finger upon an allotment in the surveyor-general's office should have the right of pre-emption.

1411. And in the event of any dispute arising between two persons for a tract of land, would you decide that dispute by lot?—I see no better mode of settling it.

1412. Have you ever seen that mode adopted?—Never. In Trinidad, Crown lands have been sold within the last 15 years on the principle of competition, but not by public sale, tenders were made; but at last it became the practice to sell at a fixed price. The governor probably soon found that little advantage was derived from competition; and whenever an offer was made at the highest price which had been previously given the land was granted.

1413. You would have extensive surveys made considerably ahead of the population; and would you then allow individuals to select lands in any part of the colony, without reference to situation or to the advantage to be derived from condensing the population?—I would; but in that case the party selecting a distant tract must necessarily pay the expense of surveying it, and be bound to lodge a copy of that survey in the surveyor-general's office, which would be a great additional expense to him. I see no disadvantage in its being allowed under such an arrangement; on the contrary, rather an advantage.

1414. Then you would allow them to select land beyond the limits of the Government survey?—I would.

1415. Keeping the survey considerably ahead of the population?—Keeping the survey sufficiently extensive round the previously settled parts ready for any applicant who should present himself. But if an enterprising individual should explore a distant country, and find a spot that would suit him, I can see no objection to his being allowed to have it; I am sure that he will never attempt it, unless there is some great peculiar advantage, such as a navigable river or superior fertility of soil attending it; for he must always settle at great disadvantage when removed to a distance from the rest of the population; he can have no assistance in the formation of roads and other essential objects; and a man will not do it, but for some striking advantage which the rest of the community would soon share with him.

1416. In what sized allotments or blocks do you conceive that the Crown lands should be sold with a view to the general interests of the colony?—I think the allotments should be large. I would prefer their being too large rather than too small, because the evil of too large an allotment is very easily remedied. I do not think that purchasers of land would be disposed to hold it uncultivated for any length of time; it would cost money, and consequently they would soon be disposed to resell it, if not prepared to cultivate it on their own account.

1417. But large and small are merely relative, and very vague terms; do you mean that you would fix a minimum measure, beyond which you would not go in selling land?—I would fix a minimum measure, to which the Government sales should be limited; but that would necessarily differ in different colonies. In New South Wales, where extensive pasturage is required, enormous tracts appear to be granted beneficially. But to come practically to the point. The Crown land in Trinidad was sold in lots of 100 Spanish quarrees each, or about 320 English acres; they were found by experience too small; for a sugar estate in that island cannot be conducted in the best and most profitable manner if it does not contain at least 600 acres, which I should consider the allotment of Crown land most advantageous for sale in the island

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of Trinidad; and if in any instance too large for individuals, two will unite their applications and divide it between them: neither do I apprehend any mischief from speculators and jobbers holding immense tracts of land, because where municipal authority exists expenses always attach to the holding of land, for the formation of roads, bridges, &c., besides other parish expenses. In fact, I know that in the United States, so far from their apprehending that capitalists will come forward to buy up too large tracts of land, that they are rather encouraged to do so, for in the sales of public lands in the state of Michigan, which were taking place when I was last in the United States, the purchasers were guaranteed from all state taxes for a term of years, I think six or seven, to encourage them to buy land; therefore I think they find it practically an advantage to encourage individuals to buy large rather than small tracts.

1418. But still your wish is to encourage large estates rather than small, with reference to the superior mode of cultivation. Do not you think that there would be a danger of large capitalists buying up, on speculation, large quantities of land for the sake of dividing them into the smallest portions, and retailing them afterwards at a profit?—I think some measures might be adopted to prevent that evil, the details of which would require consideration. Assuming, however, the principle to be recognised, that it is disadvantageous in a community to allow of land being subdivided into small patches, I think it would be very easy by some legislative enactment to prevent it. Perhaps a simple way would be to levy a tax in the shape of a stamp duty upon all sales of land.

1419. Which tax you would make of the same amount for large sales as small ones?—Yes; it would consequently not interfere with cultivation on a large scale, as the tax would be trifling in amount upon the purchase of a large estate, while it would be quite sufficient to prevent the frequent sale of small quantities; and I am informed that in point of fact the same results are produced in this country, for that such are the difficulties and expenses attending the sale of land in small portions, that few persons think of buying 10 or 20 acres but on speculation, for building lots or market gardens.

1420. Mr. *Gladstone.*] Do you think that such a tax as would affect sales merely would be enough to attain your object, which is to prevent the country being cut up into small parcels of ground held by small cultivators; would it not be possible for cultivators of large grants to let to small cultivators?—It might; and I think that the same tax should attach to leases beyond a certain period; but this is a part of the subject to which I have not so particularly applied myself.

1421. Without asking you what specific remedy you would propose, does it not appear to you to be also necessary to have some check even upon the annual letting of small holdings?—I think that few persons would hire land for a year, subject to the risks which always must attach to its belonging to another person; but no doubt this must be well considered when a colonial bill for that purpose is framed, and the object required may no doubt be easily attained by legislative enactments.

1422. Do not you think it far from an improbable case that at the period of the full emancipation of the negroes, speculators knowing their disposition to locate on small spots of ground, may be tempted to purchase considerable grants, particularly in colonies circumstanced as Trinidad is, and to drive a trade in subdividing those pieces of ground to the blacks, and that in such a case the interest of the speculator would give to the negro a sufficient security against ejectments from caprice or from any other motive?—I am certain that it would be a practice immediately followed, if not prevented by some legislative enactment.

1423. *Chairman.*] Do you conceive that there is any class of people in this country to whom an enactment of that kind would be particularly objectionable, by whom it would be opposed on the score of inhumanity or hardship to the negro population?—I do not think it could be considered objectionable by any one who had maturely considered the subject. The object of imposing the tax is decidedly to promote the benefit of the lower classes; it is to prevent their embarking in a tempting but hazardous occupation, or rather more than hazardous, for every one attempting it without the requisite qualifications of capital and skill would be sure to ruin himself. The tax on gin may be considered an analogous proceeding; undoubtedly as a tax it falls consider-

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ably heavier upon the poorer classes than upon the rich; but the principal object in view is not to raise money from the impost, but to stop a bad and ruinous practice. I fancy that amongst humane persons there is no objection to this mode of proceeding, and with economists the only objection lies in the difficulty of carrying it successfully into execution. In the case under consideration it is to prevent a ruinous practice amongst the labouring classes; no smuggling could impede its success; and when successful, no tax in any shape would be levied upon them.

1424. Mr. *Hutt.*] You do not mean utterly to exclude them from the power of buying land?—No; I speak of its effects only generally; it would always be in the power of a persevering and industrious man, in a short period of time, to obtain land. I have no hesitation in saying that, whatever price may be put upon it in the colony of Trinidad, a determined and economical labourer, expending only what may be necessary for his subsistence, would, in a couple of years, save enough to buy land sufficient to maintain himself and his family; but I do not attach much consequence to this circumstance, because I think that the number of these provident persons will be very small indeed among the great body of Africans.

1425. Mr. *Gladstone.*] Would you wish to carry the restrictions upon the sale and the holding of land so far as to prevent those who have exercised industry and forethought for two or three years, and have made sufficient savings, from becoming occupants?—Certainly not.

1426. The general basis of your system is the application to the West Indies of that principle of combinable labour, of which Mr. Wakefield has developed the application to Australia?—It is.

1427. You conceive it for the advantage, not merely of the present holders of estates but of the community in general, that land should be held in large holdings rather than in small?—I consider that it would be decidedly advantageous to every class in the community, and more particularly to the whole of the labouring population in the first instance.

1428. You think that it would be more profitable to them in a pecuniary point of view?—I do, and tend more to their civilization; and if you will allow me to cite the case of Antigua, I think it bears immediately upon the present question, for in that island a state of affairs exists precisely similar to that which Mr. Wakefield wishes to secure by his regulations. It is a small colony with a large population; every acre of ground is in the possession of proprietors, and bears what would be considered a high price in a new settled colony; all the labourers are consequently obliged to work for hire. Now, in this case, the example furnished is very strong indeed, because they were not men who had been free labourers, and accustomed to provide for themselves, but had been West India slaves up to the very moment when emancipation took effect; yet such was the force of the circumstance of the whole of the land being in the possession of proprietors, and not available to a labourer to cultivate on his own account, that they immediately proceeded to work for wages in as regular a way as they do in this country; and after inquiring particularly into their condition, I have no hesitation in saying that the labouring population of Antigua seemed a more comfortable people, better dressed, and more civilized in their habits than any negroes I have seen in any other British or foreign slave colony where land is distributed to them in profusion.

1429. Mr. *Baring.*] What proportion of the land in Antigua belongs to whites, and what proportion to free blacks?—I think a very small proportion indeed to the latter; but I cannot answer directly as to quantity; the whole of the country appeared to be laid out in sugar estates, none of which belong to free blacks.

1430. Mr. *Gladstone.*] Do you know that any part of it belongs to black persons?—I do not believe that any does excepting town lots, and probably some gardens in the neighbourhood of the towns.

1431. Mr. *H. L. Bulwer.*] All the blacks are free in that colony?—They are, perfectly so.

1432. Mr. *Hutt.*] Would you propose that the tax of which you are speaking should be an *ad valorem* tax?—No; a tax to attach to every sale without reference to the number of acres sold.

1433. Mr. *H. L. Bulwer.*] You do not advocate the principle of large estates solely upon the ground that they are better cultivated than others; but you advocate

advocate it upon the ground that you would not wish every person to purchase land, and the colony be thereby deprived of labour altogether?—No; I advocate large estates, because I think they are more economically and profitably conducted.

1434. You take the whole system of large estates being the best?—Yes; and that a greater amount of exportable produce will be raised upon half a dozen large estates than upon a dozen smaller ones of the same aggregate extent of land.

1435. Then the scale by which you would regulate the price of land would be not merely to prevent every labourer from obtaining land, but so as to favour the distribution of the colonies into large estates?—I would so far favour it in the first instance, that I would recommend only large allotments being made by the Government; but I would afterwards allow things to take their natural course.

1436. You would not regulate the price with any idea to that system?—Not the price put upon it by Government.

1437. *Chairman.*] What is your opinion as to the disposal of the proceeds of the Crown lands. Do you think that it would be advantageous to reserve the whole, or any part of them, for the general purposes of colonial government, or to devote the whole to the purposes of emigration?—I should be disposed to retain the whole for the purposes of emigration. No doubt the probable contingency may arrive when the population may require no addition beyond its own natural increase, which, I think, may be left for consideration when the period arrives; but at the commencement I would devote the whole fund to emigration; for I think, with a witness who preceded me, that it would be more advantageous to the community to subject themselves to additional taxation for other objects required rather than retain any part of these proceeds for that purpose.

1438. Mr. *H. L. Bulwer.*] Would it not depend upon the degree of adaptation of the different colonies for emigration; for instance, in the West Indies would emigration be of any value?—Of the greatest value; I more particularly allude now to the island of Trinidad, and other colonies having waste lands. In the island of Antigua, an immigration fund on the plan proposed would be impracticable because there are no public lands to sell.

1439. *Chairman.*] Will you continue your reasons for thinking that the whole of the proceeds of the land sales ought to be applied as an immigration fund?—I think it should be applied solely as an immigration fund; because on any other principle it will be difficult, if not impossible, to find purchasers for the land, which would be valueless without labourers. But we have been considering two modes of sale, one at a fixed minimum price, and the other by public sale; now, if Government determine upon the latter, the surplus fund which may be derived by the competition of purchasers beyond the minimum price, might be advantageously devoted to the making of roads and bridges, and the clearing of rivers, which is a very material object in a new settled country. This would be consistent with the general plan, as the next land put up for sale in the interior would naturally sell for a higher price, in consequence of these improvements; but I always think that the minimum upset price should be retained for the sole purpose of immigration, so long as immigration was required in the colony; and by the time it was fully peopled I presume that all the public land would be sold, and the immigration fund naturally cease of itself.

1440. Are you of opinion that it would be advantageous to borrow a sum of money in the first instance, securing the repayment of it upon the proceeds of the future sales of land, to be applied to the expense of importing labour, or would you trust alone to the funds arising from the sale of land previously sold?—In our West Indian colonies, which are not yet fully settled, it will be absolutely necessary to borrow a sum of money in the first instance, because we shall want only labourers; already there is more than a sufficiency of land in the hands of individuals, and of capital expended in works and machinery. I am satisfied that under the most successful experiment of emancipation which can be contemplated, that all our apprenticed labourers will not work as steadily in the field as they have been in the habit of doing. It probably would not be advantageous that they should; the women, in a great number of instances, may occasionally be better employed at home. In the artificial state of cultivation which

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which has existed, a great proportion of the food required for the population has been imported. No doubt a great change will take place in this respect, which will absorb a proportion of the labourers who hitherto have been working upon sugar, coffee, and cocoa estates. Wanting only labour, no man will think of buying land of which he has already more than enough in his possession, so that no fund could by possibility be derived from previous sales, and the colony must borrow money on the security of future sales to enable it to procure any labourers at all.

1441. Do you not think that the restriction which you propose to lay upon the occupation of all land, by creating a difficulty in the purchase of small portions, would excite a great deal of dissatisfaction and discontent among the labouring class; and do you think, in the population of Trinidad, there would be any difficulty in enforcing the system?—No, I can see no difficulty at all; I do not think there would be the slightest discontent in a labouring population, in possession of the comforts of life, with abundance of employment and good wages, which the system recommended is intended to ensure. No doubt, if they were starving, and thought they could escape starvation by occupying the waste lands within their reach, they would be highly discontented with any restriction; but such circumstances could never arise.

1442. And you see no difficulty in enforcing any regulations which might be adopted upon this subject, by the establishment of a sufficient local police force to prevent squatting?—I see no difficulty, neither do I think that a large police force would be requisite. Settlements, such as those of the Marones in Jamaica, have resulted solely from the existence of slavery; men absconded from compulsory labour, and were deterred by the fear of punishment from returning; and gradually they were joined by other individuals in similar circumstances; but my opinion of the African character is, that they will be too fond of hanging about the towns; and that that propensity will be an evil more to be apprehended than their hiding themselves in the woods.

1443. Mr. *Gladstone.*] Do you happen to know whether, since the emancipation in Antigua, a considerable number have resorted to the towns?—I am not aware that it has occurred; I generally understood that they were obliged to work for wages in consequence of their having no other means of subsistence.

1444. Have you not heard that immediately upon the emancipation taking place, a portion of the labouring population did leave the estates, and that all that portion did repair to the towns?—They did so for some days, and partially for two or three months after emancipation was first proclaimed. I looked over the lists of several estates, and found that during the month of August there were very few labourers for hire. In the next and subsequent months the lists gradually improved, and after Christmas they generally had a sufficient gang in the field.

1445. Mr. *H. L. Bulwer.*] Do you mean to place a double impediment in the way of the labourer; first, in respect of the price at which land is to be bought, and, next, in respect to the quantity in which it is to be allotted?—The allotment of a large quantity would never prevent its being subdivided and sold by retail afterwards.

1446. Supposing there are persons now in condition to purchase land, do you think that they should be visited differently from persons who, after these regulations, would be so situated?—I have no doubt that the moment entire emancipation takes place, there will be a great many individuals amongst the negroes, possessing the means, and disposed to buy land immediately; and I do not see that any price can be put upon it which will prevent their doing so; neither can I see any objection, for they must have been thrifty industrious men even as slaves and apprentices.

1447. But if you increase the size of allotments that would prevent it?—No; the extent of the allotment could not prevent an owner from selling it in portions of 10 or 20 acres, if he saw any advantage in so doing.

1448. Supposing there were labourers anxious to buy a small part of the Government land, men who had been labourers, and who were qualified to be small proprietors, would you place any impediment in their way?—Certainly; because if you were to attempt to make the price alone a sufficient impediment, you would prevent the extension of all cultivation on a large scale. If you required the applicant for 1,000 acres to pay as high a price per acre, as

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it would be necessary practically to establish for the benefit of the labouring classes to check the cottier system, you would have no purchasers.

1449. Do you not think that the price would be a sufficient restriction to prevent labourers from obtaining land?—I do not think that it would, under the circumstances I have described.

1450. *Chairman.*] By your replies to the questions you seem only to contemplate the establishment of a race of negro labourers in the West India islands; are you of opinion that emigrants from the United Kingdom would answer in the colonies?—I am satisfied that they would not answer in a colony like Trinidad, nor in any low tropical lands. I have heard that in the island of Jamaica the inhabitants wish to encourage the introduction of Irish and Germans; but I am very apprehensive that the experiment will prove a failure. It is possible that in the high lands of that island Europeans may live, and cultivate pimento and provisions; but I see no advantage in such a plan of colonization; and looking to the benefit of the emigrants, which I think is the first principle, and never to be lost sight of in the present inquiry, I see no advantage in English labourers going to a West India colony, when we have the whole of Australia open to us; and my opinion is that the cultivation of the exportable produce of the West Indies can only be carried on advantageously by people of the African or other southern races.

1451. Is there any other class but the negro from which you think a good race of labourers for the use of the West India colonies might be obtained?—I think the negroes in every point of view preferable; but there are the inhabitants of the Azores, of the Canaries, and of the Cape de Verds, who probably have all of them some African blood in their veins, and who, in point of fact, have largely emigrated to the Spanish colonies. At the present moment I believe there is a large population, originally from the Canaries in Cuba; a great many are found in Venezuela; and, I think, in default of procuring a sufficient number of Africans, they might answer the purpose perfectly well. There are, besides, the inhabitants of Malta, who, from all the information I can procure, would, I believe, answer very well in the West Indies; and, looking at the proper object of this inquiry, as I understand they are greatly distressed for the means of subsistence, caused by a superabundant population and a great scarcity of land, it would be highly advantageous to remove them to some West India colony, where their circumstances would be improved.

1452. Mr. *H. L. Bulwer.*] Are the native race quite extinct in Trinidad?—No, there are some aboriginal Indians existing; but they are useless as a labouring population; they are kept together by the Government, and maintain themselves, but they are reducing in numbers every day.

1453. They have no social relation to the colony?—Very little; they occasionally labour for hire in the immediate neighbourhood of the missions, by permission of the priest who superintends them; but in a very few years they will become extinct, such is the rapid decrease in their population.

1454. *Chairman.*] What is the number of the natives there?—I cannot say from recollection. Under 500 or 600 in the whole island.

1455. Are you aware of the fact that the Indian population on the main, in almost all the Spanish old colonies, among others Venezuela, does labour for hire, and constitutes, in fact, the labouring population of the country in many parts?—I am not aware of that fact; and I do not think it is altogether the case in Venezuela, having no recollection of seeing in any working gang many pure Indians.

1456. You are not practically acquainted with Mexico or the interior of Colombia, where the Indians decidedly constitute the mass of the working population?—I am unacquainted with both those states; but I have always heard that the number of native Indians throughout America was declining every year.

1457. Mr. *Gladstone.*] You have mentioned several countries from which you think labourers might be obtained with a prospect of success; are you aware of any cases in which it has been attempted to import labourers from Bengal; and what is your opinion of Bengal in this respect?—I have never heard of the importation of any of the natives of Bengal into the West India colonies; but about 25 or 30 years ago Chinese were imported into Trinidad; and from the little experience which we derived from that experiment, if the Bengalese are at all equal to them, it would be a most advantageous measure.

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But I think the extreme expense of bringing them from that distance would prove an insuperable obstacle.

1458. Have you not heard that people have been imported from Bengal into the island of the Mauritius since the Emancipation Bill passed?—I have heard something to that effect.

1459. Mr. *H. L. Bulwer.*] Were there many Chinese brought to Trinidad?—I cannot charge my memory with the number; I suppose there may have been from 100 to 200 men; they came in one transport.

1460. Do you know how they were obtained?—Government paid the whole expense; they were brought principally from Prince of Wales's Island. I have been told they were not the best class of persons, but they succeeded so well that the majority made a sufficient sum of money in a short time, and found their way back to the east by the way of Great Britain, and there are only two or three remaining now in the island.

1461. *Chairman.*] As you seem to be of opinion that the principal dependence upon the West India colonies must actually be on the negro race, how and where do you expect to procure the number of labourers that might be required?—There is a large free negro population in all the slave colonies around us, as well as on the Spanish Main, and, with a liberal government in our colonies, with full and entire emancipation, and with equal political privileges accorded to all colours, there would be great attractions for all those classes of free labourers I have mentioned, who find themselves at present in a very galling and unpleasant position in the countries in which they reside. But I should more particularly look to the United States of America for an abundant supply of free negro labourers, who, in the uncomfortable state in which they find themselves placed at present in that country, would be very well disposed to emigrate if they were sure of finding their circumstances improved by their removal.

1462. You mean their situation morally and politically?—I mean their situation morally, politically, and physically.

1463. Do you think that the government of the United States would have any objection to our removing a portion of the black population from their country?—On the contrary, I think that they would be rather disposed to encourage it. They are very anxious at the present moment to get rid of their free coloured population, and have attempted to do so by the establishment of the colony of Liberia; but either Liberia has failed from some particular causes connected with its locality, or from the expense of conveying passengers so great a distance. When I was last in America I found it generally admitted that Liberia would never answer the purpose intended, and that any numbers they might, under the most successful circumstances, be enabled to send there could by no means keep pace with the increase of the free black population by births, to say nothing of the ordinary manumissions amongst the slave population. I think therefore that the inhabitants of the United States would be glad to see some foreign colony opened, where, at no expense, the free population could be removed, and find themselves comfortable. I am convinced that the Americans in the northern slave states are not attached to slavery, and that many would liberate their slaves to-morrow if they knew how to dispose of them safely afterwards; but they consider their future existence in the United States to be a great political nuisance, so that men of undoubted philanthropy have too much patriotism to think of throwing what they consider a useless and dangerous population as a burden upon the country; indeed I heard it asserted as a fact, that many slaves have been liberated by will, provided the executors can find the means of sending them to Liberia, or elsewhere; and that those persons were still working in slavery from the difficulty, arising from want of means, in carrying the testator's wishes into effect. Under these circumstances, if it were a known and established fact that our colonies in the West Indies presented a sure asylum where free negro labourers could be comfortably located, and furnished with profitable employment, I think that a very large number would voluntarily emigrate from the United States of America, and give additional encouragement to future manumissions.

1464. Was not a similar plan tried at St. Domingo some years ago, and was it not the case that the removal of the American free negroes, although they were placed among persons of their own race and colour, proved a total failure?—It was so.

1465. What

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1465. What were the causes of that failure, and why do you think that we should succeed with a similar experiment?—In the first place, the negro inhabitants of St. Domingo are all French; and it is a very singular circumstance how perfectly and entirely the negroes take the stamp of the nation with whom they have been brought up. A French negro, as compared with an English one, is as completely a different person in his tastes and habits as the individual owners by whom they have been educated. In the next place, the institutions of Hayti are entirely despotic. If the American negroes were expected to work as labourers under the regulations of the Haytian agricultural code, it would naturally disgust them immediately on their arrival; and if, in addition, the government of Hayti commenced by giving each settler a patch of land, which I think very probable, it would in itself be destructive of the whole experiment. I think that these causes are quite sufficient to account for the failure of the attempt at St. Domingo, none of which would exist in our English colonies.

1466. Does the Haytian code enforce the system of compulsory labour on all residents of St. Domingo?—I know no more of the Haytian code than what I have read in the papers laid before Parliament; but I believe that all the labourers are compelled to work (whether they desire employment or not) by military force.

1467. Not for wages, but as a duty?—I believe they were entitled to receive a portion of the produce of the estate; but a free man considers himself privileged to work or not, as he pleases, provided he makes no claim upon the community for relief.

1468. You therefore think the abortive experiment of emigration from the United States to St. Domingo affords no criterion by which to judge of the success of an emigration to our colonies?—I certainly am of that opinion.

1469. In adopting the plan of colonization which you have submitted to the Committee, would you also adhere to the plan of importing only young couples of both sexes as much as possible?—If a colony is to pay for imported labour, the more efficient that labour is the better; consequently young people would always be preferable to old. But we have already an established population in our West India colonies; in some of them there is a majority of males; consequently it would be more advantageous to import an increased proportion of females. In other cases the females preponderate, so that much must depend upon the different circumstances of the different islands. Trinidad is so contiguous to the Spanish Main, that there is some apprehension that, after having paid the passage of males to that island, they might be disposed, from caprice or other motives, to move off to the main, and then, from similar feelings of inconstancy, to return again, getting their passage expenses repeatedly paid; so that we consider it safer to give a bounty only on the introduction of women and children, under the impression that, when once located in the colony, a woman with a family, if she finds herself comfortable, is by no means disposed to move; and that where the women and children are the males will always be, and that we need be under no apprehension of not having a sufficient number of men in the colony; but this is a question which will require much further consideration.

1470. But as those circumstances must vary considerably in each colony, you would be inclined to think that the regulations respecting transport and conveyance of labourers should be framed by a board in the colony rather than by a board here; or what is your opinion upon that subject?—I think that the leading principles of the whole system, those which must be applicable to all colonies and all classes, should be engrafted in the Act of Parliament, leaving the details of management to which these principles are to apply under the control and superintendence of a central board in this country, at least till the system has been carried for some time into execution; because I do not conceive that it would be understood sufficiently in the colonies at an early stage of the proceedings; but there ought to be an assistant board always established in each colony, and the central board should take no step in opposition to their wish, without considering the subject seriously, and being able to give good and sound reasons for their determination; and the greatest publicity should attach to all their proceedings.

1471. You are of opinion then, that the board must have powers almost independent, but that the settled principles upon which they act should be laid down

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down in the Act of Parliament here?—I think that the principles should be laid down in the Act of Parliament, and that the power, for the present at least, should be lodged here.

1472. Is the Committee to understand that, from the best consideration you have given to the subject, you are of opinion that if the principles of colonization which have been developed here be fairly applied to the West India colonies, they might enable them to continue the profitable cultivation of produce after the term of apprenticeship has expired, and to compete successfully with those foreign colonies in which slavery is still continued?—The only hope I have of our being able to do so arises from expectations derived from the consideration of this plan. Venezuela is a country which at the present moment affords an example which may materially assist us in the inquiry now before the Committee. It possesses a large free population, and a great abundance of fertile land. Now we may judge in some degree by the success of agriculture in that republic, how far we shall be able in our British colonies, when the period of emancipation arrives, to dispense with the necessity of some improved system, such as we are now inquiring into; and therefore, with the permission of the Committee, I will state some observations which I made in May, last year, during a visit to that country. The Committee will recollect that, at the period of the Negro Emancipation Bill being passed, great exertions were made in this country to persuade the West India proprietors voluntarily to consent to its adoption. It was very strongly insisted upon by individuals who were only acquainted with Great Britain, or the temperate regions of the world, that free labour was in all cases more profitable than slave labour, an assertion which every fact connected with the tropics disproved. Lord Stanley, however, when proposing the Emancipation Bill, stated in the House of Commons that a practical example of the superiority of free labour in the tropics then existed in the republic of Venezuela; that it was the only example which the world afforded of emancipation on a large scale, carried on with complete and entire success; the proof of which was found in the fact, that until a system of free labour was established, not a pound of sugar was grown in Caraccas, but subsequently it had been cultivated and exported to a large amount. I consequently determined to examine into the correctness of this statement, with the view of ascertaining how far we might entertain any well grounded hope of keeping up our sugar cultivation in the British islands, and went there for that purpose in May 1835, carrying with me Lord Stanley's speech, and the evidence taken by a Committee of the House of Commons, in my pocket. The first question that I inquired into was the number of slaves in existence, when Bolivar passed a decree for their emancipation. We had been told by Lord Stanley that the number of slaves had been 100,000, about 75,000 of whom had been freed; all of whom, at the time he was speaking, were working most successfully. With respect to that particular fact, I found that the whole number of slaves in Venezuela had never exceeded 60,000, which is the number given by Humboldt; and, in addition, a free population of about one million, in round numbers. I found that in fact, at the period when Bolivar's decree of emancipation took place, only one half of this number of slaves were then in existence; the remainder had been destroyed by death and dispersion, by war, misery, and distress; so that about 30,000 only, instead of 100,000, as had been stated, then remained.

1473. A great many obtained their freedom by entering the army?—I believe so; the number of slaves however remaining did not exceed 30,000 at the period when Bolivar first emancipated them, consequently could not be considered as an experiment of emancipation upon a large scale, when compared with the amount of the free population. By this Act of Bolivar's, which was passed in July 1821, all children born after that period were to become free at the age of 18 years; so that no slave can have been emancipated under that particular clause of the Act, up to the present day, as the 18 years will not expire until 1839. But there was another clause which provided for emancipation by a tax upon the property of persons dying intestate, as stated by Lord Stanley, by which a fund was to be provided for the annual manumission of deserving slaves; so that the whole number of persons who could have been emancipated under Bolivar's Act, by which Lord Stanley's 100,000 slaves were reduced to 25,000, could only have been manumitted by that fund. I will now crave the attention of the Committee to a very material fact:—Nine years after

after Bolivar's act was promulgated, the proprietors of Venezuela began to be apprehensive of its consequences; and, under the presidency of General Paez, they passed a new law in October 1830, which abrogated the old law, but revived some of the principal parts of it; declaring that after that period no child born should become free until 21 years of age; and further, that whatever might be the future amount of the manumission fund derived from the tax on intestate property before alluded to, that no greater number of slaves should ever be manumitted annually from that fund, than had already been manumitted under the operation of Bolivar's act; consequently it became necessary to ascertain what number had been actually manumitted by that act, and a Committee was appointed for that particular purpose, which, after full inquiry into the subject, declared that the whole number manumitted had amounted only to 20 annually, making, from the year 1821 to the year 1830, a gross total of 180 instead of the 75,000 persons, who were supposed by the people of Great Britain to have been emancipated so suddenly and successfully; and of the truth of this there can be no doubt, because the 12th article in the new Act of October 1830, declares the exact annual number previously manumitted, and provides that for the future no more should be annually manumitted than the number specified. Further, I did not find a man in Venezuela who believed that the Act of Emancipation could ever be fairly carried into execution. At that time no register was kept of the age of the slaves by the Government, and no responsible board to superintend the execution of the Act.

1474. The whole law applied to 30,000, who were left at the end of the revolutionary war?—It applied only to 30,000, which number is corroborated by a statement I now hold in my hand of the whole number of slaves in Venezuela in 1830, drawn up by the same Committee, at the time the last Act was passed, showing the total number of slaves to have then amounted to 29,201.

1475. Mr. *Chalmers.*] No period was fixed then for the entire extinction of slavery?—No period is fixed in the last Act.

1476. Mr. *H. L. Bulwer.*] The object of this new Act was to restrict as much as possible the manumission of slaves; therefore the object of the commissioners appointed would be to discover as few manumitted as possible; do you think that they took a fair estimate of the number of persons who had been manumitted under the Act?—I think so. They were men of the first standing in the country. But admitting the reverse, it applies immediately to the question before us; because, supposing these commissioners were disposed to falsify a document for that particular object, it only shows how strongly they felt in Venezuela that no combined labour was to be procured under the actual circumstances of that colony, containing a free population of one million, which could be compared to slave labour in efficiency; consequently, if they were actuated by those motives, it only strengthens the opinions I have formed, that, unless we introduce some new system of additional regulations, the mere circumstances of an abundant population, and extensive fertile territory, will never secure efficient free labour in our colonies.

1477. Mr. *Gladstone.*] Did you mean to state to the Committee that no register had been kept of the manumissions that had taken place, or only no registry of the births?—A registry must have been kept of the manumissions, or the return of the number included in the law of October 1830 could not have been made; but there is no public registry kept of the births. I will now further state to the Committee, that, with respect to the cultivation of sugar having been commenced only subsequently to the Emancipation Act by Bolivar, that I met with not one sugar estate, and heard of none, which had not existed as sugar estates in the time of Humboldt. And as it had been also stated that there had been a considerable export of sugar latterly from Venezuela, and also of rum to the island of Trinidad, I made particular inquiries into both subjects, and I am now in possession of an official document, published in Caraccas by the government, showing the whole exports and imports of Venezuela, which is laid by the Minister of Finance before the Congress every year. It was published in 1835, when I was there, so that it includes the latest information. The whole quantity of sugar and papelon exported from Venezuela in 1834 amounted in value to 20,000 dollars only, which is under 5,000 *l.* sterling. Knowing that the importation of sugar was prohibited in Venezuela, and finding that it bore a considerably higher price

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in the country than sugar did at the time in the British colonies, it struck me as a curious fact that there should be any export at all; and after making a little inquiry, I found that, with the exception of the papelon, which is a sugar of an inferior quality and of a doughey texture, something like sugar and flour mixed together, which is eaten in the hand, and was exported for the consumption of the negro population in the Dutch island of Curaçoa, about 15 or 20 miles distant only from the main land, and carried over in open boats in small quantities; I found, with this exception, that the whole sugar exported proceeded from one single estate, called the Cambury, belonging to Mr. Ackers, who ships his crop to Liverpool, for this simple reason, that the estate is on the sea-shore, and he can find no ready market for it in Venezuela, unless he carries it over the range of mountains which divide Laguayra from Caraccas by a precipitous road, 6,000 feet high, upon the backs of mules.

1478. Mr. *Gladstone.*] But the amount of 5,000 *l.* comprises both the descriptions of sugar of which you have spoken?—It comprises the whole sugar and papelon; and I believe that Mr. Ackers shipped much more than half of the whole value enumerated. For this sugar he finds a saving market in Liverpool, to which port it is sent in barrels, and lodged in the bonded warehouse, where it is purchased, by the barrel or two at a time, for the use of outward-bound ships, and is procured in that way free of duty. This is the history of the boasted production and export of sugar from Venezuela.

1479. Mr. *H. L. Bulwer.*] The small production of sugar there is no proof of emancipation being unsuccessful, because you have said that these people are not emancipated?—I do not adduce this to prove that emancipation has been unsuccessful, but to show that, without the adoption of the regulations recommended by Mr. Wakefield, the cultivation of sugar cannot be carried on successfully in a country possessing an abundant population and the finest land in the world. Farther; it was stated in the evidence laid before Parliament with reference to Venezuela, that the cultivation of wheat had increased to such an extent as latterly to have driven the American wheat out of the market. I do not believe, from all that I heard or saw, that a single bushel of wheat ever was imported into Venezuela from America, for it could not be brought into consumption but by a very heavy land-carriage over the mountains; but there is always a large quantity of flour annually imported from America. Good wheat will no doubt grow very well in Venezuela; and the inhabitants are certainly of that opinion, for, immediately after the independence of the country was established, a duty of eight dollars a barrel was laid upon all flour imported. This enormous bounty, for it is sold in Baltimore at five dollars frequently, and on the Ohio and the Mississippi at four dollars; so that it amounted to about 200 per cent. upon the original value.

1480. What are the contents of the barrel?—One hundred and ninety-six pounds; this bounty produced no useful results at all; it was found not to promote the home-growth of wheat, and only made the price of bread higher; they consequently reduced it to four dollars, at which rate the duty now remains, and is kept on solely for the purpose of revenue. In Vittoria, which is the district from which the famous Vittoria wheat derives its name, which has been heard of in Europe as producing two crops in the year, and, I believe, has been tried in some parts of England; in that city I endeavoured, in vain, the whole day I remained there, to purchase even so small a quantity as half a pint. It grew there in the time of Humboldt, but I could get none; and I found that what was sent to Europe, under the name of Vittoria wheat, came from Merida, a considerable distance to the southward on the road to Bogota. Throughout the whole of the route from Caraccas, through the valleys of Aragua to Valencia and Puerto Cabello, there was not a flour-mill to be seen; the labouring population live upon plantains and Indian corn, and roots, grown in the country; and the whole of the wheaten bread consumed in the cities and towns is made from American flour, subject to a duty of four dollars, and the expense of land-carriage, amounting in some instances to four dollars more. The history, therefore, of the extension of the growth of wheat in Venezuela is a mere fable. But with reference to the state of free labour in Venezuela, it was also stated in the evidence before the House that the Marquis del Toro had emancipated all his slaves on the "score of profit." The Marquis del Toro is personally well known to us in Trinidad; he was there an exile for one or two years after the failure of Bolivar's first attempt at independence; and I particularly inquired

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of him, on my arrival at Caraccas, as to that fact. He assured me that he had not emancipated a single slave; that the only person in Venezuela who ever had, was Bolivar, and that not on the score of profit, for that he had emancipated them only upon one out of the four estates which he possessed, but from political motives. To that estate I paid a visit; it is called the San Mateò estate, being immediately in the neighbourhood of the town of San Mateò. Having procured a letter of introduction to the proprietor, I remained with him a day and a night, and was treated with much hospitality. I received from him the following history: When Bolivar emancipated the whole of the slaves upon the San Mateò estate, the greatest proportion of them followed him to the army. At the time I made the inquiry only about one-fourth of them were known to be in existence, and were residing in the neighbourhood. After this event the cultivation of the estate was necessarily abandoned; but at the death of Bolivar it became the property of his sister, Donna Maria; she immediately put 40 slaves, which she owned, upon it, and resumed the sugar cultivation, which had been previously abandoned. Subsequently she leased the estate to her nephew, Signior Camachio, my host and entertainer; he possessed besides, 40 slaves more of his own, and at the time I was there the sugar cultivation was entirely carried on by those 80 slaves. He assured me that not one of the former slaves emancipated by Bolivar ever worked for wages upon the estate; that, in fact, he never employed any free labour, although San Mateò contained a population of 2,300 persons, and that he did not conceive it possible that any sugar estate could be conducted with advantage by free labour.

1481. Do his slaves receive wages?—Not at all; they work entirely as slaves; the system and discipline was pretty nearly the same as it had been in our West India colonies.

1482. *Chairman.*] What are the inferences that you draw from this state of things, as bearing upon the present question?—Seeing that in a country so favourably situated as Venezuela, with respect to population and extent of fertile soil; that it was the only country which Lord Stanley could discover on the globe as affording a successful example of the cultivation of sugar by emancipated slaves, and seeing what is the real state of that country, I certainly apprehend that we shall be placed in the same disastrous condition after 1840, in our West India colonies, unless we find out some mode of inducing the labouring population to work continuously for wages. The depressed state of agriculture in Venezuela may be partially owing to a defective government; but I conceive the principal cause to be the facility with which the labouring population can support an existence on small spots of land without working for wages. I found that to be the opinion at Caraccas when conversing with leading individuals upon the subject; but they alleged the impossibility of making remedial regulations, from the difficulty of discriminating public from private lands, which could only be ascertained by calling upon all persons to prove their titles, which they candidly avowed to me they were afraid to attempt in the then political state of the country. In the valley of Aragua, at Maracay, I met with a cotton planter, a Scotchman, by the name of Miller, a man of some enterprise and industry, who was cultivating cotton by free labour. As there had been recently an immense rise in the price of cotton in Europe, I questioned him as to the possibility of extending his cultivation considerably. He seemed to think that he could, but only in a trifling degree upon the particular estate where he resided, from the difficulty of finding an increased supply of labour; but that by farming other estates in the neighbourhood of other settlements, he probably might increase his cotton cultivation considerably. So that I found that the great difficulty lay in procuring labourers for hire. The whole population consisted of a certain description of cottagers who would labour only for some portion of the year; but to induce them to migrate from one part of the country to another for additional wages was quite impossible. I am fully satisfied, therefore, from what I saw in Venezuela, that it will be impossible to support a sugar cultivation in our colonies after the year 1840, if the emancipated population are to be allowed any great facilities in cultivating land on their own account.

1483. Mr. *Bulwer.*] Do not you think that it would be a great inducement to labour for hire, the possibility of the labourer afterwards becoming a proprietor; and do not you think that you would be removing one of the great means of

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of obtaining labourers for hire, if you made the price of land too high?—I certainly think that it would be impolitic to make the difficulty of obtaining land too great; but a price which would oblige a labourer to work for hire for a reasonable period would ultimately facilitate his chances of success as a proprietor.

1484. In every regulation you would always bear in mind that it would be necessary to make it easy for every labourer working well to obtain land?—The only proper plan would be to render it just so easy as to enable him in due time, by economical industry, to purchase land on his own account, with the expectation of finding labourers to assist him in working it; but if it were made too easy the population would be all proprietors, and no labourers.

1485. *Chairman.*] To effect that object you would look to a specific price of land, neither too high or too low, but leaving it to be fixed by circumstances?—Exactly so.

1486. Mr. *Gladstone.*] Though you have not stated any fixed amount as a specific price, you consider the test of its efficacy to be its ensuring a sufficient quantity of combined labour in the colony?—I have ventured to fix no price, for in the absence of all practical information upon the subject, I should probably be disposed to fix a different price at a future period, when some experience would enlighten us. I will mention, however, as a practical fact, that Sir Ralph Woodford sold the public land in Trinidad at about two dollars an acre, a price which I consider totally insufficient to effect the objects desired.

1487. The object of the question was not to ascertain what you thought a proper price, but whether you did not think that its effect in producing combined labour would be the best test of its sufficiency?—Most certainly; and I would endeavour to fix it neither too high nor too low.

1488. And you are distinctly of opinion that that arrangement would be no less conducive to the prosperity and comfort of the labouring population themselves than to the large proprietors of land?—I certainly think that it would be most conducive to the benefit of the labouring population, being satisfied that you cannot have a comfortable and well employed race of labourers in any country unless the proprietors around them are also prosperous; and unless the power of combining labour, when apprenticeship ceases, be ensured by some means or other, all the capital already invested in expensive works and machinery, hitherto supported by the combined labour of slavery, will perish; and my feeling is, that unless the system now under consideration is well established before 1840 in our West India colonies, the most mischievous consequences will arise. For if the first commencement of the experiment of free labour should prove disastrous, it will at once create such an unfavourable impression throughout the world, as no subsequent efforts will be able to counteract. I feel strongly that our only remaining hope and expectation of getting rid of the slave trade rests upon the adoption of this principle. I think that if it had been earlier understood and incorporated in the Abolition Act, the West India planters would not have felt half the alarm which they experienced at the adoption of that measure, and it would have spoken a very different and more convincing language to all the present slave-holding states; for there is not a man living in Porto Rico, in Cuba, or the United States, who does not believe that a ruinous crisis must arise in 1840 in our West India colonies; and I am not surprised at this opinion, because they are better acquainted than ourselves with Venezuela and other tropical states where free labour prevails. At the present moment the slave trade is rapidly increasing; one of the independent states of South America has lately resumed it. I am satisfied of the fact. There can be no difficulty in producing the proclamation, as it appeared last year in the London papers, in which it was declared that seeing that agriculture had fallen entirely into decay for the want of labouring hands, it was found necessary for its support to introduce slaves; and that viewing the slave trade on the coast of Africa to be an abominable crime, they would buy only those who were already enslaved in South America. The consequence of this will be an increased import of slaves from Africa into the Brazils, and they will easily find their way over the Andes to the Pacific.

1489. *Chairman.*] You are aware that all those states which have been recognised by us, are bound by their treaties to do away with the slave trade?—Whether any such treaty exists between the particular state to which I allude and Great Britain, I am not aware, but I believe all our treaties apply only to the

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the slave trade with Africa, which could in no way affect the proceeding described. I understood whilst I was in the Havannah, that a great many slaves were frequently sent from thence to Texas. They were carried there in American vessels, as passengers; I conversed with some American captains on the subject, who were highly indignant at my supposing that it was contrary to the American navigation laws. These slaves were landed in Texas, where some of them were retained, but I believe the greater number passed on into Louisiana, where I understood gangs of slaves were then selling at the great price of 800 to 1,000 dollars each negro; consequently I am satisfied that nothing can ever put an end to the slave trade, but a perfect conviction on the part of all owners of slaves, that free labour can be made cheaper than slave labour; and certainly we must adopt some new and improved system for the promotion of free labour in the tropics, before we can establish that fact. From every inquiry, and from every observation I have been able to make, the stopping the slave trade by naval force is totally impracticable; no man who has ever been in the western hemisphere, and looks at the form and boundless extent of the wild coasts of those regions, can flatter himself that whilst purchasers are to be found in America, and sellers in Africa, that the slave trade can be prevented by any exhibition of naval force; in fact, it is rather creating a maritime jealousy, as other powers are afraid that under that plea we may extend it to other purposes; it is exciting, I believe, an ill and an angry feeling.

1490. In the United States?—Yes; and I do not think that it is liked in France or Spain, or Portugal; so that if we have any hope of ever putting an end to the slave trade, it can only be effected by promoting a system of cultivation in our colonies by which we shall be enabled successfully to continue the export of sugar, coffee and cocoa, by the means of free labour alone; and from the attention I have given to this subject, and greatly interested as I am in its results, I do now firmly believe that if the principle developed by Mr. Wakefield is fully, fairly, and without unnecessary delay carried into execution, that those great staple articles of West India produce will ultimately be raised cheaper by free than by slave labour.

1491. Mr. *Gladstone.*] Do you think it might often happen that a man might be a good and industrious labourer, and yet a very bad proprietor both for his own interests and the interests of the community?—I have known that to be the case with men of a superior order to Africans. I have imported many carpenters and other tradesmen from Scotland, who whilst in my service were excellent steady working men, and saved money; at the expiration of their apprenticeship, they usually attempt to establish themselves on their own account, but in very few instances have they succeeded; and after suffering from their own improvidence, some have come back to me and requested to resume their former situations.

1492. Do you think the same remark would apply in a still greater degree to the case of the black population?—Certainly, in an infinitely greater degree; the lower a man is in the scale of civilization and education, the less he is able to provide beforehand against sudden casualties.

1493. Mr. *Scrope.*] You have not mentioned the terms on which in Venezuela the labourers can purchase land; is it open to every workman who wishes to get land?—I am not able to speak positively to this circumstance, from my own personal knowledge, but from what I saw of the nature of the country, I believe they would be enabled to procure it without difficulty.

1494. To enclose land from the forest?—No; they never think of enclosing the land. You may see an opening in a wood, and, by following it on foot or on horseback, you will arrive at a small open space of two or three acres, sometimes more, but of which not more than two or three acres are cultivated; for the usual mode of proceeding is, after cutting and burning the trees or bush, to take a certain number of crops till it becomes less productive, and then proceed to the adjoining acre and commence a new cultivation.

1495. Does that class of persons ever work for hire?—I believe they do; and in the event of bad seasons and bad crops, or if suffering from extravagance or gambling (which all that class of persons are very prone to), I think they would immediately repair to the nearest established estate to offer their services for wages.

1496. Of what does the labouring population consist by whom the products of that country are made?—Classes of all colours; amongst whom are a great

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many of the people of the Canaries, whom I observed as attendants upon the mules; the regular mode of conveying goods and produce being upon the backs of mules and asses. As an additional proof of the depressed and torpid state of agriculture and commerce in Venezuela, there is not a carriage road throughout the whole of the country. But the great bulk of the labouring class is similar to our free population in Trinidad, who go by the general name of Peons.

1497. Then the larger proportion of the labourers of Venezuela are not occupiers of land, but live entirely by hiring out their labour?—I cannot speak to the proportion; but I believe the agricultural labourers almost all cultivate land on their own account to a certain extent; but I have here a list of articles exported from Venezuela which will afford information as to the extent of the cultivation.

1498. Is there not a great deal of cotton exported?—A very small quantity. This statement is taken from an official return laid before Congress in 1835; the quantity of sugar and papelon exported amounted to 20,500 dollars; the quantity of cotton to 45,000 dollars; cocoa, 706,000 dollars; coffee, 1,293,000 dollars, being the largest article of export; tobacco, 135,000 dollars; indigo, 504,000 dollars; and sundries of all descriptions, including cattle and mules, to 688,000 dollars; amongst which sundries I find wheat to the amount of 32 dollars, which I conclude to be samples sent to Great Britain of the famous Vittoria wheat. The aggregate value of the whole of the exports is 3,394,000 dollars, from a population exceeding one million of inhabitants, whilst I am satisfied, without being able to speak exactly to the fact, that the exports from Cuba, with a population of about 700,000, greatly exceed 20,000,000 of dollars.

1499. Then it does not appear that there is an indisposition to labour for the production of those commodities amongst the free labourers, though they will not addict themselves to sugar cultivation?—I think they would be as well disposed to labour on sugar as other plantations; but the reason why so small a quantity of sugar is exported, arises from the circumstance that no capitalists in Venezuela can engage without slaves in the cultivation of sugar. No man will venture to expend so large a sum of money as a sugar estate, to be profitably conducted, requires, unless he is sure of a command of labour at all times; whilst on cotton, cocoa, or coffee estates, where there is little or no machinery to stand idle, if you are short of labourers at any particular time, the consequences are not so injurious; so that I should say the great test of a sufficient supply of hired labour in our colonies would be found in the export of sugar.

1500. That is, looking to the export of sugar as the end; but if you look to the prosperity of a colony, or the happiness of its population, may not these objects be as well brought about by the export of cotton or coffee?—I can easily believe that if sugar were not in existence, a very happy labouring population would always be found under favoring circumstances; but I conceive that nothing tends more to favor the growth of such a population than high wages and daily employment, which a sugar cultivation eminently promotes.

1501. Are not those free labourers in Venezuela living a tolerably happy life, cultivating their own ground, and labouring occasionally for hire?—Those whom I met with appeared comfortable enough; they did not possess any luxuries; but I think it has been generally admitted that the greater the amount of produce raised by any given population, the greater is the amount to be divided amongst them, and consequently the greater their prosperity. Now looking merely to cotton, coffee, cocoa and indigo, I do not see that the quantity raised and exported from Venezuela can be compared with that which is produced by other states, where the combined labour of slavery exists; the export of cotton amounts to nothing; it is valued at 45,000 dollars, equal only to 10,000 *l.* sterling.

1502. Mr. *Hutt.*] Looking at the evidence you have given, I conclude that it is your opinion that the system developed by Mr. Wakefield holds out a practical means of ultimately abolishing slavery throughout the world?—I think so; I do not see, from all the inquiry I have made into the subject, that we have any other possible means of effecting it.

1503. Allow me to read to you a passage from a letter which I have in my hand, from Captain Basil Hall, in reference to that part of your examination which

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which touched upon the United States, addressed to Sir Robert Wilmot Horton, of the 14th of June 1830. He says, "The truth is, that there is no hired labouring class, properly so called, in any part of America, excepting where the ground is tilled by negro slaves. I mean that there is no class of men who support themselves permanently by wages derived from labouring in the service of others. There is in fact no labour to be had for hire, of such a sort, at least, as to produce permanently a return greater than the wages which such hired servant requires. I speak now of agricultural labour, and I may say that it is almost an axiom in those countries, that there is no productive labour in the fields of a new country, except that which results from the sweat of the proprietor's own brow."—If this assertion relates principally to the new settlements in the western parts of America, which I presume it does from the expression of "no productive labour in the fields of a new country, except that which results from the sweat of the proprietor's own brow," I should say it is correct; but in the Atlantic free states, and in the neighbourhood of the great cities, there is a large class of persons who labour regularly for hire; probably a considerable portion of these are Irish emigrants; but there is a dense population in the old states not disposed, in the aggregate, to leave their homes, or to migrate into the interior. With this observation, I perfectly agree with everything stated in that letter.

1504. Then it would appear to you that the price demanded by the United States for the wild land of the country, is insufficient to secure a permanent supply of labour?—I believe it is; at least I think that the labourers are in no proportion to the demand for them, resulting from some cause which a reduced facility in obtaining public lands, I am disposed to think, would remedy. I have been on farms in the state of New York, 150 and 200 miles in the interior, where I had an opportunity of inquiring particularly of the farmers as to their mode of proceeding, and what chance I should have were I to purchase an estate in the neighbourhood, of being able to carry on the cultivation. I found that no wages that I could give would in themselves be sufficient to procure labourers, unless I adopted the customs of the country; that I must constantly work in the field with those labourers; that I must not pretend to any social superiority over them; and that they must dine with me at my table, &c. &c. Under those circumstances they cultivated their small estates, and, unacquainted with any other system, were very well satisfied with their condition; but it is clear to me that no great field for the employment of agricultural capital can exist, where wages alone are not sufficient to procure labourers, and where they must possess privileges in other respects, to induce them to work for hire. And this was in one of the old states.

1505. Mr. *P. Scrope.*] Such a state of things is not injurious to society in the United States at all?—No.

1506. It is compatible with a large amount of happiness among the poor class?—I should say perfectly, and they are going on very comfortably under those circumstances; but a similar state would be highly ruinous in our West India colonies, where we have already a large fixed capital expended, which must be supported by active employment, or entirely lost. The Americans extend their capital only in proportion as they find a command of labour, so that no direct injury arises from their system; but I believe their fund of labour would be augmented, and their prosperity greatly increased, if an additional price were put upon their public lands.

1507. Do you know anything of the terms upon which land is to be obtained in the neighbouring states of South or North America, in Mexico and the Spanish provinces upon the Main?—I am not at all acquainted with Mexico. I rather suppose that in Venezuela there is no public land for sale. The land which has been already appropriated is either cultivated and probably held at a high price, or totally abandoned; for, in fact, waste land is of no value in a new country, where there is not a stock of labourers.

1508. Might not abundant land be taken possession of by labourers who might migrate there?—Not that which belongs to proprietors, who would insist upon their paying rent or purchasing it.

1509. But at low terms of price or purchase they might obtain, in those continental states, a certain portion of land?—Alluding to negroes and coloured labourers, I think it very probable that they might cultivate land there for nothing, as, I believe, they do at the present moment.

1510. Do

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1510. Do not you think if, in Trinidad, by fixing a high price upon land you prevent the labourers from settling there, that they would be induced, by the difficulty of obtaining land, to migrate to other countries in the neighbourhood, where they could procure land on easier terms?—If the price were not too high I do not think they would, at least to any injurious extent; many individuals would no doubt do so; but with my understanding of the subject, I am satisfied that, after a year or two, they would find themselves in such distressed and destitute circumstances, that they would be glad to return to Trinidad, where they would know they could find employment for good wages. So that, far from apprehending, as I did originally, that all our labourers might leave us and go to the Spanish Main, I rather think now that we should attract a considerable number of their labourers to Trinidad, where we can afford always high wages, if such a system is adopted as will enable us to keep our present establishments and fixed capital employed. I am, besides, not of opinion that the Africans are a wandering race. I believe that the negro population of our different islands, if they only find employment and good wages immediately that apprenticeship ceases, will remain stationary. For example, they have done so in Antigua; and they well know that if they come to Trinidad they will get much higher wages. If the negroes in Antigua were to find that if they came down to Trinidad they would get land for nothing, or next to nothing, it might prove an insuperable temptation; otherwise, unless driven by distress, I do not think they will be disposed to leave the spot they have been born and bred in, so long as they find themselves tolerably comfortable.

1511. There is no emigration of the black population to Hayti?—I think not; run-away slaves would hardly be disposed to go there. On the contrary, they have many free labourers now in Cuba who have ran away from St. Domingo, of whom they are very much afraid. They have lately been contemplating the expulsion of the whole of them from the island, under the impression that they were instilling dangerous ideas into the minds of the slaves. From amongst that class of people, and many others in different places, who are considered dangerous where they are, I believe that we may get a considerable body of free labourers for our colonies; and so little should I fear their opinions, that were I a resident in Jamaica, I should have no hesitation in attempting to attract labourers from St. Domingo, and with little doubt of finding it advantageous. But at the present moment all communication with Hayti is interdicted, I believe, in Jamaica.

1512. Mr. *H. L. Bulwer.*] Is there any regulation which prevents vessels clearing out there?—I do not speak very positively, but I believe there is a law which prevents a vessel cleared out at Hayti from entering a port in Jamaica.

1513. When you are speaking of the prosperity of the colonies, what do you mean by the word prosperity; do you mean the property of the colonies, and the increase of the colonies?—What I mean by prosperity is, producing the greatest amount of valuable produce from a limited population, which must be productive of prosperity to all classes in the colonies. I can certainly imagine a state of affairs in which a colony might consist of nothing but cottagers, who as long as they had the means of subsistence, would be a very happy people, just working when they found it agreeable; but then the British nation must be at the whole expense of maintaining a government for them, for they would have no surplus produce to support the expense of it themselves, and even then they would be liable frequently to very great misery from any sudden failure in their crops; and probably in our West India colonies, which are particularly subject to hurricanes and droughts, the negro population could less depend upon their own exertions than in any other part of the world. Whenever a hurricane has occurred in any of our islands, the proprietors were obliged to draw upon their capital to supply their labourers with food, so that I do not think they could exist as cultivators on their own account, unless there were always capitalists in their neighbourhood to supply employment and food in time of need, and those capitalists will not and cannot exist unless they are sure of commanding labour for the cultivation of their estates at all times.

1514. Mr. *Scrope.*] Cultivating sugar?—I do not wish to attach too great importance to the cultivation of sugar, but I wish to create a state of affairs in which the labouring population shall always find constant employment; and a sugar cultivation requiring more capital to support it than any other, must command

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command continuous labour to which it will afford permanent employment; and unless such a state of affairs is created in our colonies, sugar will continue to be manufactured by foreign slave populations principally.

1515. Mr. *H. L. Bulwer.*] You have stated that the prosperity of the colony consists not only in its cultivation, but that it is more necessary for the happiness of those in that part of the world, that it should be maintained by large capitalists than it would be elsewhere, from the different circumstances of hurricanes and so forth, which render the assistance of large capitalists more necessary than elsewhere?—I cannot speak to that decidedly, not being acquainted with other parts of the world.

1516. You speak of Trinidad?—I speak of the West India islands; I think that the cultivation there requires the largest amount of capital, and necessarily, therefore, requires a strong assurance of a command of combined labour.

1517. Mr. *Scrope.*] Have you any knowledge of the state of the free labourers in Cuba?—I inquired respecting them at the Havannas, where I remained two or three weeks, and I found that they lived partially by the cultivation of the soil. The cartage of sugar in Cuba is not managed as in the West India colonies, by each proprietor keeping his own teams, but is done by contract with free labourers, who are also the principal breeders of cattle. Then there is a great quantity of wax exported from Cuba, with a large amount in value of the best cigars, and a variety of other minor articles which employ the free population. The free population in Cuba may be about 400,000, one-half, I believe, of the whole population; but all the sugar estates are invariably and without exception conducted by slave labour.

1518. Is the land in Cuba to be had for nothing, in the way you have described of Venezuela?—I do not know; there is an immensity of spare land there; how the government disposes of it, I cannot say.

1519. Are not other employments, exclusive of those you have mentioned, such as trades and the arts, carried on by free labourers both in Venezuela and Cuba; there is no want of combinable labour for those purposes in either country?—Upon the estates generally in Cuba all that they require is done by slave labour. In Venezuela there is no want of free labour; but with respect to trades and arts, they import almost everything that they require in both countries from the United States of America.

1520. Mr. *Gladstone.*] Can you form any idea in what proportion the exports of Venezuela are raised by slave and what by free labour respectively? I cannot; but observing that there are not more than 30,000 slaves in the whole of Venezuela, I am of opinion that they are principally engaged in the production of sugar, for although the export amounts only to 20,000 dollars, the internal consumption is very great in proportion to the population.

1521. Is it Muscovado sugar or papelon?—Principally papelon, and some clayed. In hiring a free labourer and engaging to feed him, you usually contract to give him half a pound of papelon a day, and I believe throughout the country they consume it nearly in that proportion.

1522. Is the cultivation of papelon sugar laborious?—It is the same thing in every respect as the cultivation of sugar in our islands, except that the manufacturing process is more coarse and easy; it is cultivated for the purpose of selling in the neighbourhood, except on some large estates, so that it struck me that the manufacturers of papelon only put their mills about when that demand existed; and as the climate about Caraccas is generally dry, and the canes are principally supported by irrigation, there was no impediment in the nature of the seasons to prevent their doing so at any period of the year. Seeing, therefore, that the sugar cultivation is considerable, that it is principally, if not entirely, cultivated by slaves, and that the slave population does not exceed 30,000, I am inclined to suppose that the great bulk of the articles exported from Venezuela are raised by free labour.

1523. Mr. *Scrope.*] Including all the articles consumed in that country?—Yes, including all articles, as the whole or major part of the slave population are devoted to sugar cultivation, which is always profitable in consequence of the internal demand and prohibition to import.

1524. Mr. *Gladstone.*] Do you know the gross value of the exports of Trinidad?—I cannot state the amount exactly without referring to documents, but I think it will amount, in round numbers, to 500,000 *l.* in the present year.

1525. About two-thirds of those of Venezuela?—Yes, nearly two-thirds.

Jovis, 7° die Julii, 1836.

MEMBERS PRESENT.

Mr. Ward.	Mr. Henry Lytton Bulwer.
Mr. Hutt.	Mr. William Gladstone.
Mr. Poulett Scrope.	Mr. Childers.
Mr. Chalmers.	Sir George Grey.

MR. WARD, IN THE CHAIR.

George Poulett Scrope, Esq., a Member of the Committee, Examined.

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1526. *Chairman.*] HAVE you turned your attention to the subject of colonization for some time past, and formed some strong opinions which you wish to communicate to the Committee?—I have; for a long time past I have been of opinion that a general national scheme of colonization carried on by the government, would prove to be perhaps the only, certainly the most effective, remedy to many or nearly all of the great economical evils under which this country has been labouring for a long time past, evils which have alike puzzled political economists to account for, and practical men to correct. Those who have examined the condition and the conduct of the industrious classes of this country, must be quite aware that there exists a very great and injurious congestion both of labour and capital here, as compared with land or the field on which those elements of wealth are to be exerted.

In our colonies, on the other hand, there exists a very opposite state of things, namely, a redundant and almost unlimited supply of land, coupled with no less a deficiency both of labour and of capital. It would seem therefore to be highly desirable to redress this balance, and to transfer the redundant labour and capital of the mother country to supply the deficiency of the colonies. Now the question arises, why this process does not spontaneously take place.

With regard to capital, there can be no difficulty in capitalists transferring their capital so soon as they think it advantageous to the colonies. But then this practical difficulty occurs, that they will not do so unless they are secured in an ample supply of labour, without which, when their capital arrives in the colony, it can be employed for no available purpose. But the very circumstances of poverty and want of employment, which in this country prevent the labourer from obtaining a return for his industry, impede him in transferring himself to the colony at his own expense. The capitalist will not advance the necessary sum for this purpose, since he cannot be assured of repayment. The attempt to secure the services of labourers carried out to the colony under indentures, has uniformly failed, for obvious reasons. Here then we are at a dead lock. And unless some means are provided for gratuitously conveying the surplus labour of the country to the colonies, the redundancy both of capital and labour here must remain unrelieved, and the colonies unimproved. The desideratum, therefore, would appear to be to create some fund of a national character, by which the labourers in this country, volunteering to emigrate in search of better wages, and better circumstances than they can obtain here, should be gratuitously transferred to a colony where those circumstances await them. Now, in considering the subject as I have done for a long time past, it has always appeared to me that several sources exist, from which this fund could be very properly and without much difficulty derived. In the first place I do not hesitate to say, that I think it would be a very judicious and justifiable application of the public money, raised by general taxation, to apply a sufficient sum, say even to the extent of a million per annum, or upwards if required, to the gratuitous transfer of the redundant population of these countries to the colonies; looking to the fact that as long as they remain here unemployed, or nearly so, they must remain a burden to the country, whereas by their transfer to the colonies there is no question they will become a source of such abundant and accumulating wealth there, and, by the commercial connexion of the colonies with the mother country, here likewise, that they cannot fail to produce an increase of the

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the annual revenue of the country, quite sufficient to repay the expenditure that may be made out of it for this purpose. Another source has been already applied in part to this object, which seems to me an equally fitting one, namely, the raising money upon the parochial taxation, or poor-rates of England, and those likely to be shortly assessed in Ireland, for the purpose of removing that redundancy of population which makes so very heavy an item in our poor rates, and is likely to form a still larger claim upon a similar rate, when the Legislature decide that such shall be raised in Ireland. A third source has been proposed in a tax on the wages of labour in the colonies; something similar to the household servant tax which has been imposed in this country. And it really does not appear improbable that the colonial employers would very willingly pay a tax of, say 2 *l.* or 3 *l.* a head upon the servants they employ, if they were secured in the expenditure of this tax in the importation of labourers to meet their demand, whom they cannot otherwise now procure. A fourth source of revenue to be applied to this purpose might be looked for in the repayment by instalment within the colonies, of loans made to individual emigrant labourers. I believe to some extent that system has been adopted by the Colonial Office; that partial loans have been made to emigrants to New South Wales, and it has been found practically such sums are very easily recoverable. But the example of the United States, which we are now all so thoroughly acquainted with, proves that there is another resource, perhaps the best and the most properly applicable of all to this particular purpose, namely, in the proceeds of the sale of waste or unappropriated lands belonging to the Crown, or the central government existing in the colonies.

I believe, therefore, that it would be extremely desirable for the Legislature of this country to lay down a principle that all the waste lands of our colonies should be disposed of after the American system, at not less than a certain minimum price; and that the entire proceeds of those sales should be appropriated to an immigration fund to defray the gratuitous introduction of labourers from the mother country.

1527. You concur with the witnesses who have already appeared before the Committee in many points; you agree that the Legislature should declare that all Crown or waste lands in the colonies should henceforth be sold at a certain minimum price, and the proceeds of those sales employed for an immigration fund?—Yes.

1528. Do you agree also in another principle which has been mooted here; that it would be advisable to make a selection of emigrants, in the way recommended to the Committee, though they have not yet full evidence respecting it?—Yes, I consider that the selection which has been proposed in the publications of Mr. Wakefield and others to be most judicious: the selection, I mean, of adult labourers between the ages of 15 and 25, married, and in equal proportions of both sexes; in such a way, in short, as to obtain the greatest possible productive capacity among a given number, for introduction into the colony; and that the adoption of this principle, in conjunction with those already enumerated, would tend to augment the prosperity of the colonies, and with them of the mother country, in an incalculable degree.

1529. You have heard Mr. Wakefield's evidence; do you agree with him as to the importance of fixing such a price on waste lands as shall be sufficient to secure a due supply of combinable labour?—No, I do not; and the difference of opinion I entertain with Mr. Wakefield on this point must be my excuse to the Committee for troubling them with my opinions at all, being led to do so from the circumstance that the principle to which the question relates has been very strongly insisted on, not only by Mr. Wakefield, but by several others of the witnesses examined before this Committee; and I have been inclined to think, from the first time that I saw it promulgated in the publications of Mr. Wakefield, it was founded on a fallacy, and dangerous, if carried practically into operation, to the very objects we all have in view. If I understand that principle it is this: that the price of land should be such as to be "sufficient" to secure an adequate amount of combinable labour for the purposes of capitalists in the colony, by restricting the settlement of labourers on purchased tracts of land, through the imposition of a price which will prevent their obtaining land until they have served as labourers for hire a sufficient period to meet the demands of the capitalists. I think the theory on which that principle is founded a very doubtful one, namely, that man has a strong though unaccountable desire to settle on a tract of land of his own, even though he may be thereby obliged to forego the advantages of civilization and society, nay, even to risk starvation and absolute want of the necessaries of life, in preference to labour-

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ing for hire in the way in which he has been accustomed to do in another country, and on wages which will supply him with all the necessaries and many of the comforts of civilized life, the enjoyment of society, and the exercise of his religious worship. I have always been in the habit of believing man to be by nature a gregarious animal, to be disposed to harbour together, to co-operate and combine their labour, and not to isolate themselves in the way Mr. Wakefield's theory seems to suppose.

1530. Do you conceive that Mr. Wakefield has proved the truth of his theory, at all events by reference to the history of colonies founded under other systems? —No; I think the proofs Mr. Wakefield has sought for in the obscure history of the ancient colonies, and in the almost equally obscure history of the early settlements of modern colonies, do not afford a conclusive argument on the subject. I think that so many other causes acted upon those colonies to promote their success or their failure, it is utterly impossible to attribute them to any one cause in particular; I think, on the contrary, that the example of a great number of countries well known and well authenticated, goes to refute entirely this doctrine. In particular I would refer to the example of the western provinces of the United States of America. There, it is true, there is a price affixed to land; but so low a price as to be utterly inadequate to Mr. Wakefield's conception of a "sufficient price;" nay, so low that the very similar price Lord Goderich established in 1831 in the Australian colonies is considered by Mr. Wakefield to be so low as to have done more harm than good. Then, if there is any truth in the theory proposed, the western provinces of the United States ought to exhibit no combinable labour, wages and profits ought to be exceedingly low, the produce of industry ought to be very small, there should be no accumulation of capital, civilization should be at a low ebb, and the advance of the settlements scarcely any; whereas, on the contrary, it is well known that combinable labour exists there to a very great extent; wages and profit are both higher, the produce of industry greater, the advance of the settlements and the spread of civilization more rapid, than is or ever has been known in any other part of the world. I know that Mr. Wakefield attributes the existence of combinable labour in the western provinces of America to the co-existence of slavery in the southern provinces; but I own it is an enigma to me how the fact of sugar and coffee being raised by slave labour in Georgia or Carolina should produce that effect on the mind of the labourer or artizan in the provinces of Ohio or Illinois, as to induce him to remain a hired servant, when but for the existence of slavery in those states he would immediately take to the wilderness as a settler. It appears to me it is simply the high rate of wages existing in those western provinces of the United States, that alone is the plain and obvious cause why so many of the labourers and artizans prefer remaining as labourers, to settling in the wilderness as farmers, and that so long as they are able, or labourers under similar circumstances are able, to obtain by their labour an ample remuneration enabling them to command the necessaries, and many of the comforts of life, society, and the exercise of their religious worship, they will continue, after the example of those labourers in the United States, to work for hire, in preference to leading a sort of savage and precarious life on farms of their own, even though they could obtain these at a low price. If the object of Mr. Wakefield's theory were to lower the rate of wages, I can understand its application; but if the rate of wages is to continue as high as it exists at present in those settlements of the United States, I think there can be no fear, after that example, of labourers betaking themselves to the wilderness. And if the principle is intended to raise wages, I must say that it takes a very strange course to obtain this object; for it is quite clear to me, that the cause of wages being high in the United States, is that land being extremely cheap, unless a labourer can obtain as large a command of the necessaries and comforts of life by labouring for wages, he will prefer taking to a farm of his own. The capitalists are therefore obliged to bid a sufficiently high rate of wages to tempt them to remain in service. Take from the labourer the resource of settling upon a farm of his own through the cheapness of land, and you diminish the power he has of compelling the capitalist to give him a high rate of wages. You place him more at the mercy of the capitalist than he is at present, and the consequence must, I think, be a reduction, and not a rise, of the rate of wages.

I would add another example to that of the United States, namely, Venezuela, as described by Mr. Burnley; in which it appears that the slaves amounted only to 30,000 in a population of above 1,100,000. Those slaves are almost exclusively

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sively employed in the production of sugar. Now it appears that a very large proportion of coffee, cocoa, tobacco, cotton and indigo, of which upwards of three millions of dollars are exported annually, and probably a considerable quantity consumed in the country, besides all the mass of the other products of the country consumed there, are the product of free labour. That free labour also supplies the different trades and artificers in the country, the important trades of the carriers, muleteers and others; in short, there must be in such a country of 1,100,000 inhabitants a very large amount of combinable labour; and yet this state of things exists in a country where, according to Mr. Burnley's statement, the most fertile land may be had for nothing by anybody who chooses to take it, and where, therefore, if there be a shadow of truth in Mr. Wakefield's theory, there ought to be no combinable or hireable labour at all; every labourer would be settling upon land of his own, and it would be impossible to retain them for a moment in service.

The example of Van Diemen's Land, which was given us by Mr. Bryan, is equally strong. Labour is scarce there, it is true, but it is because free labourers are few in the colony, the population being very small as yet. Those that exist there are, however, very willing to work for adequate wages. They appear to exhibit no extraordinary tendency to settle on tracts of land, and to desert a life of service on hire; and though Mr. Wakefield, if I understand him, would attribute the existence of combinable labour, in that country and in New South Wales, to the co-existence of convict-labour, it is very unfortunate that his reason for doing so is precisely the reverse of the fact, as shown by Mr. Bryan, namely, that convict-labour, like slave-labour, is certain, and the capitalists will be certain of obtaining a sufficient supply of it to supply their demand, and will therefore engage in productive labour on a large scale. Whereas Mr. Bryan in his evidence declares that the great evil of convict-labour is its uncertainty; that it is here to-day and gone to-morrow; that the governor who gave it one day may take it away the next, and that the substitution of an equal number of free labourers would be a very great improvement in the state of things, and would tend to that security to capital, which is the one thing needful to the prosperity of the colony.

1531. Do you altogether deny the tendency of labourers in the colony to become settlers, if they can obtain land cheap, or do you only dispute the propriety of restricting this disposition in the way and to the extent recommended by Mr. Wakefield?—I fully admit that labourers coming into the colony from an old country, where the possession of land is synonymous with the possession of wealth, may be apt upon their first landing to form an exaggerated notion of the advantage of possessing a large tract of land, and that they might be induced therefore to undertake farms before it would be possible for them to cultivate them to advantage; and that therefore it would not be undesirable that a certain moderate restriction should be placed upon the tendency of this error to lead those who arrive in an uninformed state there into mischief. I am also fully of opinion, that the affixing a moderate price to waste land is a most desirable thing on other grounds. It is desirable as being found by the example of the United States a source of vast and very increasing revenue, applicable to any public object. I think that it is still more desirable, as the only means that I can discover for regulating the appropriation of land in such quantities only as are likely to be, in no long time, duly improved and cultivated, and for checking that system of favouritism and jobbing, that system of granting land away to anybody or to somebody, which has prevailed to so great an extent in our colonies, and which it is obvious must be exceedingly injurious, as enabling individuals to lock up vast tracts of land from the hands of the industrious settlers, who are thus either placed at the mercy of those monopolists, or are driven into the wilderness on the outside of this tabooed land to settle at a distance from each other, thus depriving the colony of the advantages of co-operation and combination, which every one is aware are so necessary to its progressive improvement.

But these opinions, which I believe are very generally entertained, and which at all events the United States have acted on for the last 50 years, stop very far short of the extent to which Mr. Wakefield proposes to carry his principle of a restriction on the purchase of land. He puts forward, as I understand him, that restrictive principle as the sole consideration which is exclusively to determine the price to be affixed upon land. If to some small extent I think a restriction desirable, I think at all events it ranks very much below the other advantages of a price which I have named, namely, the raising of a revenue and the putting an end to jobbing and favouritism. For, as I have said, I do not believe in the existence, to any pernicious extent, of that insane desire to obtain land he dwells so much upon—

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a mania which would induce labourers and artizans who could maintain themselves in comfort by their labour, to isolate themselves in a desert at a distance from society, and to exchange the advantages and comforts of civilization for a kind of half savage existence.

1532. Do you see any difficulties in the way of the practical adoption of Mr. Wakefield's principle, supposing his theory to be a correct one?—Yes; I think the practical adoption of that principle would be checked at a very early point by circumstances, which would practically prevent the raising the price of land to any thing approaching to the extent required by the principle. The first of those circumstances is, that the demand of a price for land much exceeding the terms at which land of equal fertility is to be obtained in the United States or other countries in the world, would have the effect of diverting the stream of colonization from the country where such high terms were demanded, to those where land was to be obtained cheap. Secondly, the inhabitants of a colony wishing for land and prevented from obtaining it but at a high price, would be driven to settle as squatters, to appropriate to themselves the occupation or use for a certain period of the land denied them to purchase, except at an extravagant rate; and I think this obstacle would be particularly felt in a country like South Australia, a country of pasturage, the chief product of which is wool; knowing from the example of early nations that it is very profitable to flock-masters to lead a nomad or migratory life, travelling over a wide range of pasture. There can be no effective check imposed on such a productive though unauthorized occupation of unappropriated land by the colonial government. The only check in its power to apply, is the refusing a legal title to the occupiers of such land to their permanent ownership, and would be wholly ineffectual as a bar to their temporary occupation. Thirdly, I think the avowed and declared object of the demand of a high price for land, namely, preventing labourers from settling on land, if they so choose, before they have served a considerable term as hired labourers, will be found to create great discontent amongst the labouring classes, which would prevent the principle being actually enforced. People never like to be prevented from doing what they wish, and forced to do what they dislike for their own good. They generally suppose themselves to be the best judges of their own interests; and any restriction upon their giving that direction to their industry which they think most conducive to their own interests, that can be avoided, is now recognized to be as unwise and impolitic as it must be unpopular. The endeavour to prevent labourers from settling on fertile and unappropriated land if they choose, and compelling them to work for a certain time as hired servants, would, I conceive, raise a discontent among them which it would be difficult to control. I only ask what would be the conduct of the democracy of the United States of America, if it was proposed by the legislature there to raise the existing price of land with a view to compelling the labouring classes of that country to work for hire for a longer period than they are now willing to do. In a free country such a principle cannot be avowed and maintained; or at all events, in a country where the labouring classes stand in the position of the labouring classes in the United States. They would be apt to look upon the imposition of a high price as a device of the capitalist for lowering the rate of wages of labour, and for obtaining their services at an inadequate price; in short, as a specious and ingenious attempt at establishing a sort of modified white slavery.

1533. Why do you think a sufficient price, which is only the price Mr. Wakefield has ever mentioned, must be still higher than circumstances could render either safe or expedient?—Mr. Wakefield has declined stating what he should consider to be a sufficient price, with reference to any colony or country in the world; he has only given his view of a sufficient price, as such a price as would prevent any labourer becoming a settler until he had worked for hire for a considerable number of years. Colonel Torrens, however, who as chief commissioner of the Australian commission, has carried into execution some of the views of Mr. Wakefield, has given us his data by which we may form an approximative conclusion as to the price which Mr. Wakefield's principle would require. Colonel Torrens calculates that for every 100 acres of land sold in New South Wales, the average of four agricultural labourers would be required for its cultivation, and an additional four for mechanical and handicraft purposes, and to fill up the gaps which may be made in the supply by death or desertion. At the rate of eight labourers, therefore, for a hundred acres of land, taking the expense of removing a labourer and his wife at 25 *l.*, which by the bye I may remark is a very low estimate, Colonel Torrens thinks that 100 acres should fetch 200 *l.*, or a price should be fixed at 2 *l.*

per

per acre at least. Now it is quite evident that this calculation is not founded on Mr. Wakefield's principle at all, to which it bears no relation whatever; it is simply a calculation of the expense of carrying out a sufficient number of labourers to New South Wales to stock the land. Indeed, on the contrary, Colonel Torrens's calculation proceeds on the very reverse of Mr. Wakefield's theory; on the supposition, namely, that the stock of labourers once imported, will remain as labourers all their lives, or nearly so. If Mr. Wakefield's principle is correct, that those labourers, so soon as they are enabled to do so, will obtain land of their own, desert the life of labourers and settle as farmers, it is obvious that it will be necessary to renew this stock, so often as the labourers may retire in this way, at least for an entire generation, that is, until the children of the new immigrants grow up to supply their parents' places. It has been answered to this, that the price paid by the labourers purchasing land, would fill up the void they make in the labour market by producing a proportionate number of labourers; but it is quite clear that upon the principle laid down by Colonel Torrens, the price paid by those labourers for their land ought to bring them out a number of labourers to cultivate it, and that the sum of 200 *l.* per hundred acres, which is to bring out eight labourers to cultivate that 100 acres of land, would not also provide eight other labourers to supply the vacancy in the market made by the removal of those labourers themselves. If it is said that only one labourer will be withdrawn from the market, I would ask why each labourer should be supposed to buy as much as 100 acres? It may be that the lots of land are limited to 80 or 100 acres, but the moment that land is sold it is left to the buyer to subdivide and bring it into the market in as small portions as he shall find a demand for. Colonel Torrens's calculation therefore appears to me to be based on the very reverse of Mr. Wakefield's theory, namely, on an assumption that the stock of labourers imported in the necessary number for the due cultivation of the land will continue to live by letting out their labour for hire, at least until their children of the second generation have grown up to supply their places. But what is the period during which, if Mr. Wakefield's theory is true, the imported labourers will be prevented settling on land of their own, by the imposition of a price of 2 *l.* an acre? At the present rate of colonial wages (and it is not contemplated, I suppose, that wages shall be lower than the present rate in future, since it is declared, on the contrary, that the object is to keep up a high rate of wages), at the present rate of wages the average labourer or mechanic may without difficulty save at least 20 *l.* a year after supplying his necessities; and it therefore is clear that at the rate of 2 *l.* an acre, he may at the end of one twelvemonth purchase ten acres of land; which ten acres would be much more than he could cultivate, and would be sufficient, if he duly cultivated them, to maintain him and his family. If therefore that theory is correct, the original stock of labourers will have to be renewed every twelvemonth for an entire generation, say for 20 years, till the children born in the colony, after the introduction of the parents as young adult labourers, shall have grown up to take their places; so that the "sufficient price" upon Mr. Wakefield's theory in New South Wales will amount to about 40 *l.* sterling, supposing that a farm of ten acres is required to satisfy the strong desire supposed on the part of a labourer to possess land. But in fact this is under-stating the result of Mr. Wakefield's theory, because I believe in the rich and fertile soils of that country, five acres of land, or even less, would be sufficient to settle on, if a labourer has such a strong wish to settle on a farm of his own. That would be more than he could cultivate himself, and sufficient to maintain his family, so that the "sufficient price" to prevent the anticipated desertion of the labour-market, ought in this view of the matter to be not less perhaps than 80 *l.* or 100 *l.* I need scarcely say how absurd it would be to shut up all the rich and fertile lands in New Holland, until the time comes when people will be willing to give 40 to 80 or 100 *l.* an acre for waste land covered with brush-wood, when they could obtain land of equal fertility in the United States at the price of 5 *s.* 7½ *d.*, and in other parts of the world perhaps for nothing.

1534. What price would you consider the best price to be affixed as a minimum or upset price of land?—I think I have shown that the example of the United States proves that there is none of the danger which Mr. Wakefield contemplates of the impossibility of procuring an adequate supply of combinable labour at the minimum price of land when fixed by Government at something between 5 *s.* and 6 *s.* per acre. Therefore, as respects our colonial settlements in North America, bordering as they do on the United States, where that price is maintained, exposed to their competition in the labour and the land markets, I do think great danger would

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would result from the fixing any considerably higher price than that. With respect to Australia the same difficulty of the proximity of cheaper land does not exist; and, moreover, if, after the example of the South Australian Commission, a very large extent of pasture is to be added to every acre of land purchased, say a square mile to every eighty acres, it is quite clear that the price to be affixed on an acre of land may safely be very much larger, since the value to be obtained from it would be very much greater than in the North American provinces, which are closely covered with timber, require much more capital to improve, and which have no pasturage land annexed to them. On this account I should not consider a price of double that of the United States, say of 10*s.* or 12*s.* an acre, too much in that situation. But considering that a minimum price may be raised, but cannot be lowered, in justice to those who have purchased under the assurance that the price would continue at least as high, I do think it would be very dangerous to bind ourselves to a minimum higher price than those I have mentioned. The error of beginning with too high a price will be irreparable if we find we are wrong; in beginning too low it may be corrected easily afterwards.

1535. Do you think with such a price as this, we might hope to realize as large a revenue from this as the United States?—I do not see why we should not. We possess an equal extent of fertile land, perhaps a greater; our redundant population and capital seeking employment are both very much greater than those of the United States; and if we adopt the system so successfully practised by them for a long course of years past; if, moreover, we superadd to that the highly important principles of applying the entire sum so realized to the introduction of immigrant labourers judiciously selected, I do conceive that we may fairly expect to bring about a course of rapid improvement as far exceeding that with which the basins of the Ohio and Mississippi are now being peopled and cultivated, as their progress exceeds any other known instance in the world. The mind is lost in endeavouring to calculate the immensity of the benefits that must accrue both to Great Britain and her colonies from the prodigious development that would thus be afforded to the overflowing elements of productiveness she possesses in her own superabundant labour and capital, and her fertile colonial territory; applied as those elements would then be applied, with all the resources of her pre-eminent skill, science and ingenuity. To give the start to this boundless career of improvement we have only to follow the simple principles I have mentioned; and I think it quite needless to pursue a vain search after some speculative principle of price, proposed to meet what I have shown, I think, to be an imaginary difficulty, but which, from its necessary elevation and uncertainty, must interpose a serious check to the object we have in view, namely, the rapid occupation and development of our colonial territories. That imaginary "sufficient price," called by its advocate "the golden mean," I consider to be something like the "To kalon" or "summum bonum" of the old philosophers; something more easy to seek than to find, to talk about than to lay down in an Act of Parliament. In pursuing this shadowy abstraction, I very much fear we should lose the substance we are all aiming at. I do therefore trust that the Committee will eschew Mr. Wakefield's leading principle of colonization, and adhere in the question of price to the safe and successful example of the United States.

1536. What is the system of colonization you would recommend upon the whole?—I think the four great principles I have mentioned should be adopted. Namely, first, the disposing of all lands at not less than a minimum price secured by Act of Parliament, coupled with regulations for bringing the lands most advantageously into the market, such as the establishment of a general waste land board, authorised to survey and annually bring to market not less than a definite quantity of land.

Secondly, that the whole of the proceeds should be expended in the introduction of immigrant labourers.

Thirdly, that a proper selection be made in this country, and means taken for collecting them at certain outports and regulating their efflux, as well as a proper distribution of them in the colonies by means of agents employed there, and means, moreover, appointed to secure employment to any temporary surplus labourers that may appear there on public works, until they shall be absorbed by the demands of ordinary employers.

Fourthly, I think those main principles of a permanent National Scheme of Colonization having been established by the Legislature, a commencement should without delay be made on a large scale, by the raising of a loan on the security of future

future land sales, for defraying the emigration of a considerable body of volunteer labourers from the British islands. I think the Government having once determined upon those principles, should lose no time in carrying them into operation, and that they might beneficially advance funds for this purpose, even in the present year, in the shape of Exchequer Bills, so as to commence a large immigration immediately into our colonial possessions in Australia and North America, and thus avoid the loss of a twelvemonth in the introduction of a system rendered so urgently necessary by the existing state of Ireland, in addition to its merits under ordinary and less painful circumstances.

1537. Do you think that it would be safe to send out a very large number of emigrants in the first instance, or what number might be sent out with prudence?—Yes. I differ in some measure from the opinion given by Mr. Whitmore on this point. I am more sanguine than he is as to the result of despatching a large number of labourers immediately to the colonies. I think the obstacle to the spontaneous transfer of capital to a large extent to the colonies, with a view to its being employed in improvements, is the existing knowledge on the part of capitalists that they will meet with no labourers to employ there. If it was known that Government was carrying to the different colonies a very large number of labourers, capital would flow contemporaneously there for the very purpose of employing them to a large extent, and a system of improvement might be commenced on a very great scale. Whereas, on the contrary, if we wait till the capital shows itself there, that is, wait till capitalists are foolish enough to send their capital to a country where it cannot be employed for want of labourers, we shall remain at a dead lock, and put a stop to the progress of improvement. At all events it will not advance more rapidly than it does at present. I think, therefore, looking at the accounts we receive from the colonies, and the very extraordinary demand which at present exists there for labourers to the amount, as mentioned by Mr. Buchanan, of 20,000 able-bodied labourers, for whom he could find employment in Upper Canada alone, and, taking altogether our North American colonies, and the colonies of the Cape of Good Hope, and the several colonies of Australia, from 50,000 to 100,000 able-bodied labourers might be introduced in the course of the present year with due preparation, or, at all events, in the next year, a number which will represent a population of from a quarter to half a million of souls, and would, by its abstraction, introduce a very considerable improvement in the condition of the peasantry in Ireland. Whereas, on the other hand, if we refuse to begin the system on this large scale, the increase of the population of Ireland, proceeding so rapidly as it does under the known influence of their misery and destitution, will exceed all our efforts in the way of emigration to reduce the redundancy. In one word, begin by carrying out your labourers, and I believe the capital will be sure to accompany them.

My own opinion therefore is, that the system which I have spoken of should be introduced on a very ample scale immediately by an advance of public money, it being made known to the public that the system would be rendered permanent by an Act of Parliament, so soon as the Government could introduce and carry a measure for the purpose.

1538. You have stated that you agree upon most points with the evidence which has already been given before the Committee. You have expressed what those points are, but you have stated that you regard the principle of a sufficient price as a sort of "To kalon;" will you explain to the Committee what you understand by those terms, the principle of a sufficient price?—I have noted, at the moment of his giving them, the words of Mr. Wakefield when he was asked a question as to the sufficient price, the way in which he would attain it: he said, "You will reach a sufficient price by calculation as to the term during which it is desirable that labourers should work for hire before they can be allowed to work as settlers." I understand him, therefore, to mean by a sufficient price, such a price as will prevent labourers so urgently intent, as he conceives them to be, to obtain land and settle upon it as farmers, from making their purchase until they have served as labourers for hire for a sufficient term to supply the demand of capitalists, which I have already explained cannot be less in my view than an entire generation, because if in less than that time they abstract themselves from the labour market before their children have grown up to supply their place, the market for labour is diminished and does not supply the capitalist's demand.

1539. What do you conceive the test of a sufficient price to be?—That is precisely what, during the examination of Mr. Wakefield, I endeavoured to ascertain from

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from him; except in the words which I have mentioned, I could not arrive at his test. I thought at the time that his idea upon the subject was very vague, and I wished him to define it more closely, but I could not succeed in obtaining a clearer definition.

1540. Do not you conceive the test of a sufficient price would be the existence of combinable labour in the colony?—A price is to be fixed before a colony is founded, as I understand. If the existence of combinable labour in a colony is the test of a price being sufficient according to the terms of the question, then the existence of combinable labour in Van Diemen's Land and Sydney is a proof that the price is sufficient there. The existence of combinable labour in the western provinces of the United States is a proof to a similar effect; and yet Mr. Wakefield has, without declaring what is a sufficient price, declared that the price charged for land bought in the United States and the Australian colonies, is infinitely below what he would consider a sufficient price, and is, in fact, injurious according to his theory.

1541. Are you not aware that the whole of the combinable labour at present in Australia is convict-labour, or the greatest part of it, which is a species of slavery?—On the contrary, I have stated as one of my reasons for not agreeing with Mr. Wakefield's theory, that there does exist a considerable amount of free labour employed in combination in New South Wales and Van Diemen's Land; and if there is a scarcity of that labour, it is because the stream of immigration is so slow that the number of free labourers is actually very small. But the number that exists there shows no indisposition to work for wages.

1542. When it is said that that is a test of price, it refers always to the combinable free labour in Australia and Van Diemen's Land; the great mass of the labour of the country is performed by convicts, and in the western states of America there is a very large mass of slave-labour?—In the southern and south-western states slavery exists. But I referred to the examples of combinable labour co-existing with cheap land, through the north-western provinces of the United States, Ohio, Illinois, Mississippi, Michigan, and some others, in which slavery does not exist.

1543. Do not you conceive that the existence of an immense mass of combinable slave-labour in the southern states opens a market to the free colonists in the upper states, which is the great source of their prosperity?—It may be; though at the same time I believe that where fertile land is abundant, and capital and labour not deficient, there will exist the highest state of prosperity, without being accompanied, either on the spot or in any country with which that district may have relations, by slavery. I think the attributing the existence of combinable labour in the non-slave-holding states of America to the existence of slavery in other states with which they carry on a commercial intercourse, is as unreasonable as it would be to suppose that the existence of combinable labour in London is owing to our having had slaves in the West India islands.

1544. Do not you think that the existence of the degree of combinable labour in this country is very much to be attributed to the existence of great masses of slave-labour in the colonies?—I do not trace a connexion between the two.

1545. You have stated that you conceive the prosperity of the slave-holding states to have a great effect on the minds of the settlers in the non-slave-holding states; do you conceive it has an equal effect on their interests?—What I said was this, that I could not conceive; that it was an enigma to me, how the existence of slavery in some of the states of America could have any influence on the minds of the artizan or labourer in the non-slave-holding states, so as to induce him to refrain from throwing himself into the backwoods, and becoming a settler instead of labouring for wages among his friends; and I attribute his remaining as a free labourer solely to his being able to obtain high wages for his labour, which give him a much greater command of the comforts and necessaries of life, than he could obtain by settling in the woods, in addition to the comforts of society and the means of religious worship.

1546. Are you not aware that there is, in fact, little or no combinable labour in the non-slave-holding states of the west; that almost all are cultivating on their own account, with the aid of their own families, whose prosperity is promoted by the masses of combined labour in the slave states?—I am not aware of that, because it appears that the great body of labourers there do act in combination, and exercise the ordinary pursuits of industry, being perfectly free to settle on purchased land if they choose. I have no doubt that labourers are scarce there, as the rate

of

of wages demonstrates; and that if a large stream of immigration were poured into those districts, such as we might introduce into our colonies, or as the Americans might pour into their colonies, the progress of those states would be infinitely more rapid, and the produce far greater than at present. But I see that the produce is still extremely great, greater than has ever been known in any other country in the world; and I cannot attribute the larger portion of that prosperity, though some influence it may undoubtedly have upon it, to the circumstance of their communicating with the slave-holding states of the south.

1547. Is not the great market for the western states, bordering on the Mississippi and the Ohio, universally New Orleans?—There is no doubt that those states that lie on the banks of the Mississippi or its feeders, find a market there; but I see the tendency of the Honourable Member's question; and I would add, that unless the demand for the produce of those states by the slave-holding states has the effect of keeping up a high rate of wages, I cannot see how it can operate to prevent the labourers settling. If it does operate on their minds to prevent their settling, by keeping up a high rate of wages, then it is obvious that the high rate of wages is a circumstance which, however brought about, will prevent that injurious dispersion and premature settlement of labourers which Mr. Wakefield is in dread of. Now I believe that in every new country possessed of an extent of fertile soil, if you pour in labour and capital in sufficient abundance there always will be maintained a very high rate of wages. It is the facility of obtaining land that creates that high rate of wages, by the process I have mentioned, by putting it into the power of the labourers to make terms with the capitalists, and to say if you will not give us such wages as will keep us in an abundant supply of the necessaries and comforts of life, we will take to the woods and become farmers on our own account; and the high rate of wages, therefore, in the United States, is thus, I believe, the consequence of the cheapness of land, and would be likely to be materially lessened by any increase of the price of land.

1548. Do not you conceive the existence of this great market of New Orleans is infinitely more calculated to raise the price of wages than the cheapness of land?—I have no doubt that the circumstance of this market being open to the western states has the effect of increasing their prosperity, and adding to the rapidity with which they are settled; but I still think the rate of wages would be maintained as high by the circumstances I have mentioned, even though they were unconnected with the slave-holding states. And I would mention as a proof of this our own western colonies in North America, not in communication with the slave states, Upper Canada for instance; where the rate of wages is exceedingly high, as high as in the United States, and the profit on capital equally high. The advance of these settlements is not quite so rapid, because the immigration is not so great, as in the western provinces of the union; and in part, perhaps, because they are deprived of the advantages of immediate communication with a slave-holding state, which I admit is an advantage.

1549. You are aware that in our colonies in North America, land, up to 1831, was to be obtained without any price at all?—I believe so.

1550. This, according to your idea, must have been an infinitely more favourable state for the settler than that which existed in the United States, where a price had to be paid?—I think I guarded myself against that construction of my opinion by saying, that though I do not put it forward as a primary object, but of minor consideration, yet it is desirable to put a certain moderate check upon the disposition of labourers coming from a country where land is synonymous with wealth, who would be likely to have a desire for occupying farms of their own, becoming landed proprietors.

1551. You admit the necessity of a check, but differ as to the degree?—I admit its advantage to a very limited extent, and as one (and only a very minor one) amongst the other advantages of putting a price on that waste land; the principal of which I conceive to be the raising a fund, that under proper regulations may be applied to the purposes of immigration; and next the advantage of securing the due cultivation of all lands disposed of, and of stopping all jobbing, which I believe to have prevailed to a great extent.

1552. Do you agree in the advantage of a check, as likely to secure a combination of labour?—I have admitted the advantage of a check of the nature proposed, to the extent of preventing the immediate settlement of labourers upon land, upon their being transferred from the old to the new country. I think that that disposition, if left to itself, would very soon check itself by the example of the first-

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comers, who would, by isolating themselves and settling in the woods, be likely to lead a very miserable life, and the experience gained by their example would probably induce future immigrants to abstain from such a course of settlement; but still I do think it not undesirable, among the other advantages of the selling price, that it should impose a moderate check on the error the imported labourers would fall into.

1553. What do you mean by the term combination of labour?—A separation of the labourers into agricultural, mechanical and other arrangements, or, in other words, a division of employments.

1554. Do you conceive combination of labour and division of labour to be the same thing?—Yes, I do; and the apparent paradox arises only from the double sense which is applied to the word labour. When the word combination of labour is employed, we mean of course a combination of the labour of a certain number of individuals to obtain any given end; when we talk of the division of labour, we mean division among the same number of individuals of the gross amount of labour required for that particular end. For example, the labour of several persons is combined to make a pin, in other words, the labour of making a pin is divided among them. Both phrases are perfectly legitimate, and express the same economical process.

1555. You mean division of employment after having combined the individuals?—Division of employment obtained by the combination of the labour of individuals.

1556. Can you state to the Committee any instance in which the combination of individuals for the purpose of the division of employment, has existed in any country where land has been extremely cheap, or where there are not great masses of slave-labour?—All the flourishing colonies of the world where there has not been slave-labour are in that perdicament.

1557. Will you mention the instance of any colony in which there has not been slave-labour, and in which land has been cheap where combined labour has existed?—Those I have already mentioned are the examples I would adduce. The back settlements of the United States, our North American Provinces, the Cape of Good Hope, or the South Australian colonies.

1558. Was there any slave-labour at the Cape of Good Hope?—The Cape of Good Hope should be omitted perhaps.

1559. Though there is not slave-labour in Australia, is not the convict system in Australia equivalent to slave-labour?—No; not for producing the effect ascribed by Mr. Wakefield to it, and that is precisely one of the mistakes Mr. Wakefield has, I think, fallen into, by considering that they have a parallel effect. His opinion with regard to the effect of slave-labour is, that it permits the existence of combinable labour, by the capitalists being secured in a sufficient supply of labour to induce them to establish their operations on a large scale; that its influence in securing combinable labour operates by ensuring the capitalist an adequate and continued supply of labour, which under a system of free labour he would not be sure of where land was cheap, since the free labourer might and would be inclined to quit him at a moment's warning to settle on land. I do not admit that this is true of slave-labour, as compared with free labour; but it is certainly not true of convict-labour. It is in evidence that one main quality of convict-labour is its exceeding uncertainty as compared with free labour. It is here to-day and gone to-morrow, depending on the caprice of the colonial governor; they may be removed at any moment, and some capitalists were actually mentioned by Mr. Bryan, particularly his brother, who had abstracted his capital from productive occupation in the colony, because he could not be certain of retaining his convict-labour; therefore as an encouragement to the investment of capital in productive operations, it is quite clear that convict-labour has not the effect ascribed by Mr. Wakefield to slave-labour, but just the reverse.

1560. Is not convict-labour a species of slave-labour?—It differs from it in this way, that convict-labour may be abstracted by Government at any moment, and slave-labour, when once possessed, without compensation (as we saw the other day) cannot be taken away from any one.

1561. Are you not aware that whatever grounds Mr. Bryan may have to complain of the uncertainty of convict-labour, it is by convict-labour that almost all the exports of Australia are produced?—Very probably, but I have Mr. Bryan's opinion that Australia would be infinitely more productive, if an equal number of free labourers could be substituted for the convicts.

1562. It

1562. It being his opinion that a system of free labour would be preferable to a system of convict-labour, yet you have from his evidence that whatever his brother or himself may have done from strong feelings of the injustice with which they have been treated, the system of convict-labour is universal, and the only system of combined labour they have?—The fact was, he mentioned that though he had thirty convicts, he had from 15 to 25 free labourers, and it is perfectly well known that free labour exists in the colony to a very considerable extent. I think the fact of any number of labourers in a colony continuing to work for hire at the existing rate of wages, even though they might purchase land at a cheap rate of 5 *s.* or 6 *s.* an acre, is destructive in itself, without reference to any other circumstances of the colony, of the hypothesis upon which Mr. Wakefield's principle is based, namely, that there exists a strong, general, and to him an unaccountable desire in the breasts of all men to settle on land of their own, if they are enabled to obtain it, in preference to working for hire, and even though they may be obliged thereby to forego most of the advantages of civilization.

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1563. You have mentioned the case of Venezuela as an instance where combinable labour is to be found in large masses, testified by exportable produce, and yet there land is exceedingly cheap; are you aware that, at the time when slavery was universal in Venezuela, and where, consequently, estates now abandoned were cultivated, the exports in cocoa alone were from 11,000,000 dollars to 14,000,000 dollars, being upwards of three times the amount of the whole of the present exports?—I cannot entertain a doubt that the existence of a large number of slaves in a country may tend to increase its exports, and that the abolition of slavery, or the annihilation of a large number of slaves, will tend to diminish them; and upon this point I would beg to give an opinion, that the question of the West India islands, in which slavery is on the point of being abolished, ought to be viewed as totally distinct from the main object of this Committee, and that any remarks on Mr. Wakefield's theory do not apply so directly to them. They are under very peculiar circumstances; the negro population of those countries are in a degraded state. They are not habituated to work for wages, and, as hired labourers, their habits are totally distinct from those of Europeans; and there may be more danger of their betaking themselves to small cottier settlements if they were admitted to an appropriation of any quantity of waste land free of price.

1564. Therefore it would appear that in that island the price of 5 *s.* or 6 *s.* an acre is not a sufficient price?—I am not sure but it might be desirable on those accounts, perhaps on others, to impose a higher price in those instances.

1565. You admit that the price ought to vary with the circumstances of the colony?—Decidedly. I think with regard to our North American colonies, the price ought not to be much higher than the price of land in the United States, but that with regard to Australia it might safely be doubled.

1566. Will you state the distinction between what you term a moderate price, and what Mr. Wakefield terms a sufficient price?—My view of a moderate price I have stated to be one limited by the regulations of the selling price of waste land in other countries and colonies, by the difficulty of preventing squatting if a high price be demanded, and, by the prospect of the discontent which would be produced in the labouring population, if you demand a high price for fertile lands within their view almost, on which they think they might maintain themselves in comfort, particularly if you adduce as a reason for that high price your desire to detain them in a state of servitude against their will. Mr. Wakefield's principle of price is exclusively directed to the prohibiting the settlement of labourers on land until they have worked a certain term of years. He excludes all other considerations. If his theory be true, the price it points out is an absurdly high one. If his theory be false, as I think it, it may be disregarded altogether, and the price determined by the considerations I have specified alone.

1567. When you speak of 10 acres as an allotment that a man would be very likely to occupy, and able to occupy at the end of one year, do you think that would be a desirable system?—Perhaps not. But I am inclined to agree with Mr. Bryan, who declared his anxiety, and in so far disagreed most completely with the leading principle of Mr. Wakefield, to increase the facilities for labourers obtaining land in moderate quantities, and stated that he would be very desirous that lots of 50 acres should be specially offered to labourers, to enable them to become settlers after having saved a certain portion of their wages, as the way to create a valuable class of peasantry in that country.

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1568. Did not Mr. Bryan also state that the allotments he contemplated their obtaining possession of would be from 50 to 500 acres, and only in the event of their having worked sufficiently long as labourers to have secured capital enough to do justice to the land?—He thought it desirable that every labourer who had saved capital sufficient to cultivate a farm of 50 acres should have facilities for obtaining such a farm on moderate terms.

1569. Are you not aware that no labourer could do that without working for hire for five years?—He confirmed the view I have given of the amount of saving an industrious labourer may make in that country, namely, at the rate of 20*l.* a year; and he stated that it would require a capital of 100*l.* to cultivate a farm of 50 acres to advantage, and that therefore no reasonable labourer would be induced to take a farm until he had saved 100*l.* capital, an opinion which coincides with my own; that the labourers in that county are reasonable men; that they have no repugnance to remaining as labourers till they are enabled to stock a farm; that they will not betake themselves prematurely to a settlement on land they are unable to cultivate; which latter opinion I take to be the basis of Mr. Wakefield's theory.

1570. Do you not conceive it would be desirable to give strength to that system, by affixing a price on land which would prevent people doing that?—If I find that they are content to remain till they have obtained capital sufficient for cultivation, I would not introduce an artificial check, in which I see danger on other grounds.

1571. Do you think that the system of dividing labour into small fractional parts of 10 acres of land would be desirable?—No, I have not said that; I have only said, that if there exists, as Mr. Wakefield seems to suppose, a great anxiety in the labourers to become independent of labour, they will be able to do that by purchasing ten, or even five acres of land; and that no price which can be reasonably put on land will prevent their obtaining that within a year or two of their arriving in the colony.

1572. Mr. *Hutt.*] You have introduced the term labourers; do you mean by that labourers for hire?—I think I have always used it in that sense.

1573. You spoke of great bodies of labourers in the back settlements of America, and you stated that combinable free labour exists to a great extent in the back settlements of America; have the goodness to state on what authority you come to this conclusion?—From the course of my reading works of travellers in the United States, in which I have taken a great interest, I have always understood from them that there was no positive deficiency of carpenters, masons, and tradesmen of all descriptions; such descriptions rather as are wanted in a new settlement; that the amount of produce there is very great, and that it is raised in a great degree by hired labour. That there may not be a very large proportion of agricultural labourers for hire is very probable; but there is a large amount of agricultural produce raised; if it is raised by settlers working on their own account, still the end is obtained, a large produce and an accumulating capital.

1574. Can you give no authority beyond general impression, that combinable labour exists to a great extent in the back settlements of the United States?—I have no passages in my memory at this moment of such works, to which I could refer in a more particular manner than I have done.

1575. You are aware that your opinion is entirely adverse to the opinion entertained by Captain Hall upon that subject; he says the truth is, there is no hired labouring class, properly so called, in any part of America, except where the ground is tilled by negro slaves?—I forget the passage in Captain Hall's book, and I should be apt to think if it was taken in connexion with the context, it would be found that he refers to the class of agricultural labourers I have just been speaking of. I think there is a passage in connexion with that which explains it. On referring to the volume I find that this is a quotation from a letter of Captain Hall's to Sir Robert Wilmot Horton; he says decidedly, in a subsequent part of that passage, "I speak now of agricultural labour;" he says "the reason is quite obvious, the profits of industry are so great, when it is exerted upon a virgin soil and in a thinly peopled region, that no man of the least spirit ever consents to remain long in the dependent situation of a hired servant, when by the average exercise of the average run of abilities he can secure a station of life such that no man can be called his master." Now referring to the latter part of this passage, I conceive that the indisposition there spoken of to remain a hired servant, when a man can obtain an independent station, supplied with all the comforts and necessaries of life, is a most desirable one to encourage, and one I would not endeavour to repress by any means whatever. I am quite certain, moreover, in the United States

States of America, if it were attempted by any legislation to prevent persons settling in the independent station of farmers, when they can secure that station, with a view of retaining them in the situation of hired labourers for the benefit of capitalists, even though they were told it was for their own good, of which they consider themselves much the best judges, such a confusion would be raised in the United States as would bring down the price of land to its present level in a very short time.

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1576. Mr. *Gladstone.*] You have said you would not lay any restraint whatever on that disposition of the hired labourer to become a proprietor; you were understood previously to state that you had contemplated as one reason of placing a moderate price on land, that it had in some measure the tendency of checking that disposition?—I confine my opinion on that point entirely to the case of new colonies, into which a stream of immigrants was being directed into the new colony from an old country where the possession of land was synonymous with the possession of wealth; in the case of whom I stated that I agreed with the opinion expressed by others, that in that instance it might perhaps be desirable to check it; but to the case of a free labourer of the United States, the view I refer to does not apply.

1577. Do not you think the same danger of exaggerated and short-sighted views of self-interest would apply there?—No, not to an extent worth considering. I think the experience of their own friends who may have settled in the wilderness, and have injured themselves by doing so, would have its influence in restraining them from following the same course.

1578. Would you carry your principles as to the United States so far as to desire that land should be given there gratuitously?—No; I have stated that a price is most desirable on other and far more important grounds; namely, for the sake of revenue, and as the fairest mode of disposing of land, and that likeliest to prevent its injurious monopoly. Experience has shown the price applied in the United States to land has worked practically well for these objects for half a century past. I do not think its lowness has prevented the due combination of labourers, nor retarded the progress of their settlements; and judging by that example, I would both maintain that price there, and adopt it in our own case.

1579. In comparing the physical condition of the two banks of the river St. Lawrence, do you think the relative difference is such as to confirm you in the opinion that a price ought generally to be affixed to land?—The case of our North American provinces is one of those I have already referred to as being examples quoted by Mr. Wakefield in support of his theory, in which so many conflicting circumstances occur to interrupt the prosperity or to retard the progression of the colony, that it is impossible to draw any conclusion from any one single source. The differences between the United States and our Canadian provinces in government, in habits of the people, in climate, as well as in the facilities of acquiring land, have been so great, I do not think the different rate of labour on either side of the St. Lawrence can be attributed to a different system of the disposal of waste lands.

1580. Do you think one of the circumstances contributing to accelerate the progress of the country on the United States' border has been, that a price was affixed to the land in the United States?—Yes, a good deal; but I should attribute the benefit of the price rather to the prevention of jobbing in the system of granting land, and the reserving tracts of land to individuals or to bodies such as the clergy, by which settlers have been in our colonies compelled to insulate themselves from one another, co-operation and combination practically prevented, and communication rendered difficult.

1581. You do not draw any inference unfavourable to the gratuitous system fairly and properly conducted?—I am glad the question has been put, for I think no gratuitous system can be fairly and properly conducted, or at all events there can be no security for its being fairly and properly conducted, if the officers of government, whether at home or in the colonies, are permitted to dispose of land to any extent to any person they choose. In such case it will be found impossible to prevent favouritism and jobbing to a considerable extent.

1582. In the impossibility of properly conducting a gratuitous system, there is probably a strong reason for fixing a certain price?—Undoubtedly, I have mentioned that already.

1583. Mr. *Childers.*] Practically speaking, do you not suppose that the acquisition of land in the United States is easier than the acquisition of land in Canada, to the mass of the settlers?—I think it is very likely that may be the case; which would

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would be of itself an answer to several of the questions last put to me. I think, taking into consideration the valuable qualities of the land to be obtained, I mean not merely its fertility, but its access to markets, its communication with other settlements and the capital, it is extremely probable that land was to be obtained at a cheaper rate in the United States, where a fixed price prevailed, than in Canada, where a system of favouritism and grant has locked up the best lands, and introduced the difficulty of co-operation I have alluded to.

1584. *Chairman.*] Do you think the price ought to be such as to prevent a large portion of land being held in an uncultivated state?—I think that is one of the strongest reasons which can be given for the adoption of the system recommended, of sale at a fixed or minimum price.

1585. Mr. *Hutt.*] Captain Hall says there is no such thing as hired free labour for agricultural purposes; do you agree with him?—I should be loth to contradict an authority like Captain Hall, who knows the country personally, which I do not; but that, I think, is a sweeping assertion; it goes very counter to the impression made upon me by the works of other travellers in the United States.

1586. You are disposed to doubt it?—I doubt it to the extent he states; I know that settlers are in the constant habit of working for one another, on a sort of give and take system, which is something like working for wages; the same in effect; it is combined labour.

1587. Supposing it were true, that there was no such thing as hired labour to be had for agricultural purposes, there would be consequently no combination of free labour for agricultural purposes?—Supposing that to be true, I think the system of give and take would produce combinable labour; and I also question whether it is of immense importance to such an agricultural territory as the western provinces of North America, to be cultivated upon the system of large farms by hired labour. I think it is possible that each settler occupying with a sufficient capital his own tract of land, may produce as large an amount of agricultural produce as under the system of large farms.

1588. Are you to be understood to say, you think a combination of labour for agricultural purposes, is of little value in the back settlements of America?—I think that the Americans themselves are the best judges of the value to be affixed to it; and if it were found to be more productive than the existing system, they would apply their labour in that shape.

1589. Supposing a combination of labour for agricultural purposes does not exist there, you think that that arises from the Americans having found out a better system?—Yes, I think so; a better system; better for all classes, labourers as well as capitalists.

1590. Are you aware of any instance where combination of labour has existed in any country where there were no slaves, and where land was easily obtained?—I have answered that question; the western provinces of the United States, as I have said before. They are themselves free from slave-labour, though they carry on a beneficial intercouse with slave-holding states; but so do we in England, and the slave-labour of Georgia and Carolina has quite as much influence on the labour market of England, as on that of the Mississippi States.

1591. Does the combination of labour exist in the back settlements of America to a great degree?—To a degree, as it appears to me, sufficient to produce those objects which Mr. Wakefield declares he has in view, namely, a high rate of wages, a high rate of profits, very great amount of produce, rapid accumulation of capital, and a reasonably high state of civilization.

1592. You state that you do not consider convict-labour the same as slave-labour?—In their influence upon Mr. Wakefield's principle, in preventing the combination of labour, inasmuch as I might admit that slave-labour was always secured to the capitalist who possessed slaves; whereas convict-labour appears to be of the most uncertain character, liable to disappear at any moment.

1593. Convict-labour produces a combination of labour only, it seems, so long as the Government permits the landowner to have it?—Yes; if the same amount of free labour were introduced by emigration it would have produced a more complete combination of labour, a larger amount of combinable labour, and capitalists would have been more secure of having their wants permanently supplied.

1594. Mr. *Bulwer.*] Your reason for supposing that there is a difference between convict and slave-labour is the great uncertainty attending convict-labour; in saying there is a great uncertainty, you allude to the uncertainty under which the capitalists labour in respect to the will of the governor?—Yes.

1595. Did

1595. Did you hear Mr. Bryan, on whose opinion you rather found your argument, observe that there were but two instances in which the governor had so exercised his authority which was disputed?—No; I think he said there were three instances in Sydney besides his own in Van Diemen's Land, and I believe another; but, at all events, one instance would be sufficient to create that insecure feeling amongst capitalists as to their investing their capital in works in which they required a certain supply of labour. *G. P. Scrope*, Esq. M.P. 7 July 1836.

1596. Do you think one exception to the general rule altogether nullifies that rule?—I do not see that it is one exception; I understand there were four.

1597. Do you think four exceptions to a general rule altogether nullifies that rule?—I do not recognize it as a general rule that convict-labour is secure from change. I have understood there were four instances in which the government withdrew a supply of convicts from their employers; but I believe that it has always been known that that supply of labour was held only at the will of the governors, and liable to be withdrawn at their pleasure; and that insecurity, therefore, would itself be the general rule.

1598. The general impression is that the convicts are given to settlers in proportion to the land they occupy, and are never taken away except from some particular reason; do you think their having been taken away for some particular reason, which reason might be a wrong or a right one, in four instances only, is sufficient to interfere with the general working of that system in the colony?—I even think that if there had been no instances at all, the knowledge of the fact that it was in the power of government, at any time, to take away the convict temporarily granted to the settler would indispose him to lay out his capital in a manner which must ruin him, supposing they were taken away; and, I would add, that the other disadvantages mentioned by Mr. Bryan of convict-labour are equally strong in indisposing capitalists to embark their property in that mode; for instance, their habit of pilfering, the necessity of watching them, the impossibility of trusting them to perform any delicate operations, to which should be added the chance of suffering from their destruction of the buildings or stock, or other capital, in case they were not treated as they think they ought to be by their master. All these are elements of insecurity which place convict-labour at a considerable disadvantage as compared with free labour, and will so far, therefore, go to rebut the opinion of Mr. Wakefield, that it is to the existence of convict-labour the prosperity of those colonies and the produce raised there is owing. Had an equal number of free labourers been introduced in place of the convicts, I conceive the advance of those colonies would have been much more rapid, certainly not less so.

Lunæ, 11° *die Julii*, 1836.

MEMBERS PRESENT.

Mr. Ward.	Mr. Childers.
Mr. Hutt.	Mr. Poulett Scrope.
Sir George Grey.	Mr. Francis Baring.
Mr. William Gladstone.	Mr. Pusey.
Mr. Chalmers.	

Mr. WARD, IN THE CHAIR.

George Poulett Scrope, Esq., a Member of the Committee, further Examined.

1599. Mr. *Hutt.*] FOR the reasons you have stated, you object to the plan of giving away land; you think it should be sold?—Certainly. *G. P. Scrope*, Esq. M.P. 11 July 1836.

1600. That it should be sold of course at some price, not merely a nominal price, a farthing an acre?—I have already said, that I think there is a very valuable purpose to be answered by putting a price upon land, that of obtaining a very considerable amount of revenue, as the United States does, and that there is another still more important advantage, which is equally valuable, that of preventing favouritism in the disposal of land and securing that no person shall become possessed of more than it is likely he will bring into cultivation within a reasonable time; there is a third incidental advantage, that on which Mr. Wakefield has laid great stress, and which in a new colony may be important, that of checking the desire of labourers to settle on land before they know what to do with it.

1601. You would consider that a bad system which permitted anybody to acquire land so low that although he might not cultivate it himself, it would have a ten-

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a tendency to exclude other cultivators, by what he called the dog-in-the-manger system?—Certainly; that is one of the advantages of price I have mentioned.

1602. At the same time you think what you term a high price would be very injurious?—Very dangerous; a price, that is, considerably higher than that charged in the United States and in other countries in the world; and I should like to confirm my own opinion on this point by that of Mr. Buchanan, to which I have referred since I was examined; I have taken an extract which goes to confirm my view upon that point; he says, in his last letter to Lord Glenelg, laid before Parliament in February last, "The fact of the price of land in the territory of Michigan and the neighbouring states of Missouri and Illinois (United States) being less than in Upper Canada, has had the effect of drawing several immigrant families thither. I will state here my humble opinion, that if the upset price of the Crown lands in Upper Canada were fixed at a lower rate than that now in practice, or on terms equally low as in the state of Michigan and the adjoining territory, many British immigrants would be deterred from proceeding thither, and I do think the general prosperity and settlement of the Upper Provinces would be materially benefited."

1603. Do you think that quotation is favourable to your argument?—It confirms the opinion I have entertained and expressed, that it would be dangerous and impolitic to raise the selling price of land in Canada beyond the price charged in the neighbouring States of the Union, as tending to divert the stream of immigration to the south side of the St. Lawrence.

1604. Mr. *Gladstone.*] Is it the fact that the lands do sell higher in Upper Canada now?—It is implied in Mr. Buchanan's statement that that is the fact; whether that is the consequence of Government regulations in Upper Canada, or of the condition into which the property of the soil in the upper part of Upper Canada has got as a consequence of the sales, I am not aware.

1605. When you refer to a high price as being very injurious, of course you mean too high a price?—Yes, a price higher than the considerations I have already spoken of would limit it to.

1606. There is some medium between too high a price and too low a price, which may be considered the proper price?—Undoubtedly; which is to be ascertained by the considerations I have alluded to.

1607. Mr. Wakefield speaks of the golden mean and you of a proper medium; is there any great difference between you?—Yes, I think the difference is fundamental and material; he would take as a sole and exclusive consideration, in the determination of price of land (which he thinks the cardinal point of a good system of colonization), the making it a sufficient price to prevent labourers from settling too early on land of their own. I think, on the contrary, that with reference to our colonies, that consideration may be disregarded altogether; that the search after this abstract sufficient price is likely to lead into great errors, and into the establishing a dangerously high price, fatal to the prosperity of the colonies; and that the other considerations, viz. the price for which land is to be obtained in neighbouring settlements, the danger of encouraging squatting, the danger of exciting discontent if you fix too high a price, and the general principle, that it is cheapness of land that is the general cause of high wages and of the rapid advance in most colonies, those are the considerations which Mr. Wakefield would entirely disregard and keep out of sight, but which I think alone should determine the question of price. I believe the incidental advantage might accompany the fixing a moderate price, which I have spoken of before; but I conceive that to be so inferior a consideration, and so sure to follow the fixing of the price by the other considerations, that I think it is scarcely worth regarding at all. I think the country is under great obligations to Mr. Wakefield for the zeal and perseverance with which he has brought before the public the main principles of a good system of colonization, viz. the sale of all lands, and the application of the proceeds to the emigration of well-selected persons of the labouring class. But both in his works and in his evidence before this Committee he has insisted so strongly, and at such length, on the principle of a prohibition price to prevent premature settlement, as the *sine quâ non* of colonization, that I have felt myself bound to declare my complete and decided dissent from his opinion on this point, which I consider to be founded on a fallacy, and if taken as he would take it, as our sole guide on the subject, to be fraught with great positive danger to the progress of colonization.

Mr. *Hugh Stewart Kelsey*, called in; and Examined.

1608. *Chairman.*] YOU have been some time in the Colonial Office?—Since July 1825.

1609. You are of course conversant with the system which has been pursued there with regard to the disposal of waste land?—With regard to the disposal of land in Australia since June 1828.

1610. You are aware, from the records of the office, of what has passed before?—I have had opportunities of reading the despatches on the subject.

1611. Can you give the Committee any particulars as to the time and shape in which grants were first made in that colony?—For New South Wales and Van Diemen's Land, up to the year 1823, the regulation was that the governor had the power of granting land to two classes of persons, the meritorious convicts and free settlers. When the convicts were pardoned, the Government gave to each male a grant of 30 acres, and if married 20 acres more; to each child in the settlement 10 acres; the land was to be free from all charges for 10 years, then a quit-rent of 6*d.* for 30 acres was leviable.

1612. Was this system extensively acted on?—Rather so.

1613. Do you know what quantity of land was so disposed of?—I am not able to state that.

1614. Have any of those quit-rents been enforced?—I am not able to state that.

1615. Mr. *Hutt.*] Is such information in the possession of the Colonial Office?—I should think not. Until of late years very little attention appears to have been paid to the collection of the quit-rents.

1616. *Chairman.*] Has any account been kept of the grants to convicts, and of the quit-rents received under them?—Yes.

1617. Is that transmitted regularly from the colonies to the Colonial Office?—No, it is kept in the colony; there have occasionally been accounts transmitted to the Secretary of State.

1618. There is no record to which reference can be made to ascertain that?—Certainly not as to the distinct convict quit-rents.

1619. This, you say, was one of the modes of granting land; what was the other?—The other class was free settlers. To each free settler the governor could make grants of land to the same extent as to convicts, and grant them 100 acres additional. In cases where the governor thought the parties, whether convicts or free settlers, deserving of favour, he had the power to make larger grants, subject to the approval of the Secretary of State.

1620. Do you know to what extent this power was exercised?—Very largely. Up to the year 1810 the successive governors in New South Wales had given to individuals, principally convict settlers, 177,500 acres, in grants seldom exceeding 100 acres.

1621. Was that the whole extent of the grants made up to that time?—Yes.

1622. Does that include free settlers as well as convicts?—Yes; from 1810 to 1822, during Governor Macquarrie's administration, 400,000 acres more were granted.

1623. In the same way and upon the same conditions which were observed?—Yes.

1624. From 1822 to 1831, when the system of sale was introduced, what was the number granted?—To the end of 1831 about 3,386,250 more.

1625. Have you the returns from 1822 to 1828?—No; I have the total number of acres from the commencement of the colony to the end of 1834.

1626. The system of grants was put an end to in 1831, was it not?—Yes, it was, with certain exceptions; those exceptions were in favour of persons who, previously to the promulgation of the regulations of 1831, had received distinct promises of land under the old system, or who had emigrated in ignorance of the change. Persons also who had claims on account of public services, were also exempted from the strict operation of the new regulations.

1627. Mr. *Hutt.*] Do you conceive no grant was made subsequently, except in the cases you have described?—Clearly so.

1628. *Chairman.*] Will you proceed to state the number of which you have a return?—Four millions one hundred and sixty-three thousand three hundred and fifty-three acres had been granted previous to 31st December 1834.

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1629. Was any quit-rent or condition attached to those grants?—There were various conditions; the amount of quit-rent also varied.

1630. Have the goodness to state them?—Lands granted previous to November 1823 were liable, at the end of 10 years, to a quit-rent of 2*s.* for every 100 acres between November 1823 and May 1825; at the end of five years to a quit-rent of 15*s.* for every 100 acres; and also, during the latter period, lands sold were liable to a quit-rent of 2*s.* for every 100 acres; lands granted since May 1825, were liable, at the end of seven years, to a quit-rent of 16*s.* 8*d.* per 100 acres. In addition to the regulations contained in the Sessional Paper 394, of 1832, I beg to hand in for the information of the Committee, copies of the papers issued to emigrants by the Colonial Office in 1824, 1826 and 1827; also copies of the Regulations published in New South Wales in May 1825, and in Van Diemen's Land in April 1828 and February 1832.

1631. What has been received on account of the public for those various quit-rents?—I am unable to state that. They do not appear to have been regularly collected. I find by a statement of debts due to the government of New South Wales on the 1st of January 1832, that there was an estimated amount of quit-rent to the extent of 16,552*l.* then due.

1632. That was an amount, not which had been received, but which was due to the public on account of quit-rents?—Yes.

1633. Can you state what was the amount received?—I am unable to state the amount that has been received.

1634. In what way are those accounts kept in the colonies, distinctly or merely as items of general revenues?—Formerly the accounts of the land revenue were kept in a very irregular manner; there was no officer specially appointed to receive and to take charge of the quit-rents; an assistant-surveyor, or a person in the surveyor's department, was occasionally employed to collect them and keep the accounts, and the consequence was, the accounts fell into arrear.

1635. No accounts were regularly transmitted of those receipts from the colonies home?—No.

1636. Mr. *Hutt.*] That is not the case now?—No; the receipts are audited in the colony, are introduced into the public accounts, and come home regularly.

1637. Can you give an account of the quit-rents for any definite time?—The sums received at New South Wales for quit-rents during the years 1830, 1831, 1832, 1833 and 1834, amounted to 2,997*l.*

1638. *Chairman.*] What you have been stating applies both to New South Wales and Van Diemen's Land?—Partly to both colonies; the same rules were observed in both, respecting the disposal of land, until the end of 1825, when Van Diemen's Land was separated from New South Wales.

1639. Did the amount of acres disposed of up to 1834, include Van Diemen's Land as well as New South Wales?—No; simply New South Wales.

1640. It does not include the Swan River?—No.

1641. Sir *George Grey.*] Can you give the degrees of latitude and longitude which comprise what is called New South Wales?—Yes; in the commission given to the governor in 1831, New South Wales is described as extending from Cape York in latitude 10° 37′ south, to Wilson's Promontory, in latitude 39° 12′ south, and inland to the westward as far as the 129th degree east longitude, including all the adjacent islands and Norfolk Island. The whole of the territory assigned to the new colony of South Australia has been taken from New South Wales.

1642. *Chairman.*] Has any similar account been kept of grants at the Swan River?—Accounts have been kept of the grants at the Swan River.

1643. What is the amount of grants made at the Swan River?—Up to 31st December 1834, there had been granted 1,526,721 acres. Of these 1,224,069 were held in occupancy; 301,246 had been granted in fee simple; and 1,406 had been sold. I beg to hand in, for the information of the Committee, copies of the Land Regulations issued by the Colonial Office in 1829, 1830 and 1831. No quit-rent was imposed on land granted in that colony, except in cases where the conditions of cultivation, &c. had not been fulfilled, on land held under the regulations of 1830.

1644. Can you give the same particulars as to Van Diemen's Land, you have already given as to New South Wales?—The total number of acres granted in Van Diemen's Land up to the end of 1833, amounted to 2,136,894 acres.

1645. Have those grants been made on similar terms with those in New South Wales?—Yes.

1646. Partly

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1646. Partly to convicts and partly to free settlers?—Yes.

1647. In what proportion to each?—I am not able to state that.

1648. Were there any conditions annexed to the grants to convicts?—The same conditions of improvement, residence and cultivation as at New South Wales.

1649. Are any accounts transmitted to the Colonial Office of the way in which those conditions are complied with?—No.

1650. Are there any quit-rents connected with those lands?—Yes, the same as at New South Wales. The quit-rents on all the lands granted in Van Diemen's Land up to October 1834, were estimated by the surveyor-general at about 15,667*l.* per annum.

1651. Is there any return of what has been paid, and what has not been paid?—They are in arrear, like those in New South Wales. Their collection is attended with great difficulties, arising partly from the unwillingness of the settlers to pay them, and partly from the doubts entertained whether the time at which they became leviable was to be calculated from the date at which the settlers obtained possession of the land, or only from the date at which the title-deeds were issued.

1652. Is there any account of what is actually due, and what has been actually received on account of quit-rent?—I cannot state the amount which is due. In 1830, 1831, 1832, 1833 and 1834, about 1,500*l.* were received on account of quit-rents.

1653. Were there no exceptional grants made by the governors in those colonies in addition to the small grants you have stated; had they no power of making much larger grants of land?—Up to the year 1823, persons emigrating from England took out with them letters from the Secretary of State to the governor, directing land to be granted to them according to their means.

1654. The large grants were made here without the intervention of Government there?—Not entirely; the Secretary of State merely directed land to be granted to the emigrants, and it was for the governor to decide what quantity he should receive. General Macquarrie established 2,000 acres as the maximum of his grants, unless the Secretary of State directed a larger quantity to be given to the settler.

1655. What number of special orders have been issued for larger grants?—I am unable to state that with any accuracy.

1656. Is there no record in the Colonial Office of the number of grants to a larger amount?—No separate list has been kept of them.

1657. Have not grants been made at various times greatly exceeding what you state to be the maximum?—Since 1823 a number of grants, from 10,000 to 20,000 acres, have been authorized.

1658. Can you give the particulars of those grants?—They were grants to gentlemen in this country ready to undertake to send out agents with adequate capital, to be employed in the improvement and cultivation of the lands.

1659. How many of those grants were made?—About six or seven.

1660. Can you give the particulars?—Mr. Potter Macqueen was one.

1661. What was his grant?—A grant of 10,000 and a reserve of 10,000.

1662. Sir *George Grey.*] In which colony?—In New South Wales.

1663. *Chairman.*] What others?—Mr. Hart Davis and Mr. H. Davis, jun. 15,000 acres each, Sir Thomas Brisbane, Lord Sligo and Mr. J. Browne 10,000 acres each, with reserves of 10,000 more each.

1664. *Chairman.*] Were these unconditional?—They were subject to the same conditions as other grants made at the same time in the colony; the only difference was, that the parties were to have grants exceeding the maximum authorized to be made by the governor to settlers, and were not obliged to go out to the colony.

1665. Have any grants been made since 1825 of an equal amount?—Yes.

1666. Sir *George Grey.*] Was there any condition of residence attached to those grants?—No; the employment of resident agents with adequate capital was sufficient.

1667. Mr. *Hutt.*] Have those conditions been complied with?—I believe they have.

1668. Was Sir Thomas Brisbane governor at the time?—Not when he received his grant.

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1669. Mr. Potter Macqueen and Mr. Hart Davis were Members of Parliament at the time?—They were, I believe.

1670. Was not there a grant to the Australian Company?—There was a grant of a million of acres in New South Wales to that company; the Van Diemen's Land Company also received a grant of 350,000 in Van Diemen's Land.

1671. These companies were incorporated under Acts of Parliament, were they not?—Yes, both were.

1672. In what year?—The Australian Company's charter was passed in 1824, and the Van Diemen's Land Company's in 1825; I beg to hand in abstracts of those charters, for the information of the Committee.

1673. There was an Act of Parliament subsequent to the charter?—Preceding them; the charters were founded on the Acts of Parliament.

1674. Did the Act of Parliament specify the amount of land to be granted to them?—No; neither the Acts of Parliament nor the charters specified what was to be the amount of the respective grants; that was left to be arranged by the Secretary of State.

1675. Mr. *Hutt.*] What proportion did the grant to the Australian Company bear to all the grants which had been made in New South Wales down to the time of that grant?—I have not the means of stating that.

1676. Have that company been allowed to give up half the grant, and select another 500,000 acres?—Both the companies have been allowed to make exchanges of portions of their grants for other Crown lands.

1677. How much of that million of acres is under cultivation?—On the 10th of August 1835, about 800 acres were cleared and 550 were in tillage.

1678. *Chairman.*] Are you aware whether any larger grants than the ordinary colonial maximum had been made to officers of the government in New South Wales?—No, I am not.

1679. The governor had always the power of selection, had not he; of fixing the location in which a grant was to be made?—No, it was left to the settlers; they generally had the power of selecting the land wherever they wished to fix themselves, within certain prescribed limits; after the settler had made his selection, he then reported it to the surveyor-general, and if approved, he got the land; but if the land applied for was already appropriated, the settler was obliged to make a fresh selection.

1680. The power of approbation on the part of the governor was equivalent to a selection?—It could hardly amount to that, as he seldom exercised the power.

1681. Sir *George Grey.*] Do you know whether in Governor Macquarrie's time there were any precise regulations under which he made grants of lands?—There do not appear to have been any precise regulations on the subject previous to those of 1824.

1682. After 1824, what course did a settler adopt, on arriving in the colony, in order to acquire land?—He made application to the governor.

1683. On his making application to the governor, what did the governor do?—The governor required him to furnish proofs of his capital, and of his intention to improve his grant. On the formation of the Land Board in January 1826, that duty devolved upon them.

1684. Under the regulations of 1824, was any settler who went out entitled to a certain amount of land, on showing a certain amount of capital?—Clearly.

1685. If the governor was satisfied as to his amount of capital, did he acquire a portion of land as a matter of course?—Yes.

1686. At that period was there any extension-grant promised him on his having improved his original grant?—No.

1687. When were those regulations altered?—They were altered in 1826 and again in 1827.

1688. Subsequently to the alterations made in 1826 and 1827, on the regulations of 1824, did the amount of capital still remain as a criterion of the amount of land to be acquired by settlers, subject to certain restrictions as to quantity?—Yes, very nearly the same, about 500 *l.* for 640 acres.

1689. There was a variation in the quantity of land, in proportion to the capital?—Yes.

1690. Was there any promise made of an extension-grant to the settler, on his showing that he had expended a certain amount on his original grant, and that he possessed the means of cultivating his second grant?—Yes.

1691. Mr.

1691. Mr. *Hutt.*] Were those regulations strictly observed, as far as you know?—Yes.

1692. Sir *George Grey.*] Were those regulations put into the hands of persons here, who intended to settle in New South Wales?—Yes, on application.

1693. *Chairman.*] You say those regulations were, you believe, strictly enforced; have you ever received any complaints from the colonies that this system of granting land in proportion to capital, led to a great deal of fraud and false swearing amongst the settlers?—There were instances of that kind; that was what led to the formation of the land board, whose duty consisted chiefly in ascertaining precisely the amount of the settler's means, and whether he was a fit person to have a grant of land.

1694. Of whom was the land board in New South Wales composed?—Of two or three government officers.

1695. By whom were they appointed?—By the governor.

1696. With salaries?—Small salaries of 100 *l.* a year each.

1697. Sir *George Grey.*] Was not the object of the land board to report, after investigation, on the amount of the capital, relieving the governor from that inquiry?—Yes.

1698. Mr. *Hutt.*] Who were the persons who constituted this board?—The land board at New South Wales consisted in 1830 of the acting treasurer, the principal superintendent of convicts, and Mr. Busby. In 1831 the land board at Van Diemen's Land consisted of Major Fairtlough, the assistant commissary-general, and the surveyor-general.

1699. *Chairman.*] Have you not heard that fraudulent transfers of capital were made from one settler to another, to enable them to pass muster before the land board?—I believe that that frequently occurred.

1700. Sir *George Grey.*] Previous to the formation of the land board, or afterwards?—All along; it required the greatest vigilance on the part of the government to avoid those frauds.

1701. *Chairman.*] Even when they had a very inquisitorial system, it was hardly possible to avoid that?—I am not prepared to say that.

1702. Sir *George Grey.*] Notwithstanding the vigilance exercised by the land board, were they imposed on by settlers as to the amount of their capital?—Occasionally they were, no doubt.

1703. Mr. *Hutt.*] Was there any suspicion of favouritism on the part of the land board?—They were liable to those charges.

1704. Were these charges made?—Not directly; there were insinuations.

1705. You have no reason to believe that the charges were ever justly made?—Not at all.

1706. *Chairman.*] Have any complaints of that nature reached the Colonial Office?—Not to my knowledge, officially.

1707. Sir *George Grey.*] Have any applications been addressed by settlers in the colonies to the Secretary of State, complaining of the refusal of land, and appealing from the decision of the governor to the Secretary of State in their favour?—Occasionally there have been those complaints.

1708. *Chairman.*] You are not aware of any remarkable instances in which they have occurred?—None, excepting that of a person who declined to submit to the land board the usual proofs of capital, and who was in consequence refused land.

1709. Sir *George Grey.*] Does that continue to the present day?—Yes.

1710. *Chairman.*] How was the system of surveying managed in New South Wales previous to the introduction of Lord Ripon's instructions?—By the Royal Instructions of 1825 a Board of Survey was appointed, consisting of three commissioners, of whom the surveyor-general was the principal. Their duty was to survey the country and to divide it into counties, hundreds and parishes; also to establish a general valuation of the price of land, and to mark out reserves for public purposes, as well as the reserves for the church and school establishments.

1711. For what purposes were those reserves set apart?—To form the sites of public buildings, towns and villages, and for public purposes generally.

1712. Under what regulations?—It was left to the discretion of the commissioners.

1713. Was no amount of those reserves fixed?—I believe not.

1714. Not so many acres in each township or district, but it was left to the

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commissioner, and he might require as much or as little as he thought proper?—Yes, it rested with the commissioners.

1715. Have you any account of the reserves so made?—No, for those reserves were afterwards given up from time to time to the settlers.

1716. With whom did this power of reserving in the first instance, and giving up afterwards, rest?—With the local government.

1717. Was no return required by the Colonial Office of the way in which this power was exercised?—I am not aware of any.

1718. That was, of course, a power which would lead more than almost any other to the accusation of favouritism and partiality in the disposal of land?—I am not aware of any accusation of that nature having been made.

1719. If land was reserved for public purposes, and afterwards surrendered to settlers, that could be only under particular circumstances, and might be subject to a suspicion of partiality?—I cannot speak to that.

1720. Sir *George Grey.*] You mean that there were reserves for villages to be built on. Were those afterwards abandoned, the purpose not having been accomplished, or likely to be accomplished; and then did that land fall into the mass of general undisposed of land in the colony?—Yes, and was sold or granted in the same manner as any other Crown land open to occupation.

1721. That for clergy reserves was also abandoned?—The church and school estates have been ordered to be disposed of in the same manner as the other waste lands of the Crown; but the proceeds are to be applied exclusively to the general purposes of religion and education, and not to fall into the land fund.

1722. *Chairman.*] What amount, in the first instance, was set apart for clergy reserves?—One-seventh of the whole territory.

1723. No land was actually disposed of for ecclesiastical purposes that was unsurveyed?—No; as the surveys went on one-seventh of each county was set apart for ecclesiastical purposes.

1724. Can you give an account of the land set aside as clergy reserves?—I am unable to state the total amount of those reserves. In 1829, the Church and School Corporation in New South Wales received 419,199 acres.

1725. Sir *George Grey.*] When was that system of reserving land for ecclesiastical purposes abolished?—By Lord Ripon's instructions of 1831.

1726. Mr. *Hutt.*] What amount of money has been received for clergy reserves?—I cannot state that for New South Wales.

1727. *Chairman.*] What amount of land has been surveyed altogether?—Previous to 1 January 1828, there had been surveyed in New South Wales—

	1,617,542
And between January 1828, and 30 June 1834 - - -	1,946,478
	3,564,020

1728. Mr. *Hutt.*] Are you aware whether any money has been received for clergy reserves?—Between 1 January 1824 and 1 January 1834, clergy reserves were sold in Van Diemen's Land to the extent of 35,371 acres. The money received amounted to 7,719*l.* 12*s.* 5*d.*

1729. Sir *George Grey.*] Was not there a corporation in New South Wales which had the charge of those lands, and afterwards the funds arising from them?—There was.

1730. Has that corporation been dissolved?—It was, in 1833.

1731. Had instructions been given to the governor in respect to the proceeds of that land?—Yes.

1732. *Chairman.*] Have you any return of the amount of land sold since the period of Lord Ripon's instructions in 1833?—In New South Wales 20,860 acres were sold in 1832, 29,001 acres in 1833, 91,399 acres in 1834: total 131,260 acres. The accounts for 1835 have not yet arrived.

1733. Sir *George Grey.*] Have you seen an estimate of the land receipts for 1836?—Yes, that was estimated at 42,000*l.*

1734. *Chairman.*] What were the proceeds of those sales for the years of which you have the accounts?—The purchase money of the land sold in 1834 amounted to 36,814*l.*, of which 28,328*l.* were paid in 1834. The total amount received in 1832, 1833 and 1834 was 45,721*l.*

1735. What was the amount of land sold in that year?—91,399 acres were sold in 1834.

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1736. Does the sum you have given include the quit-rents of that year?—No, only the sales.

1737. Mr. *Hutt.*] What was the maximum price received per acre in that year?—I can state it for 1834; 12*s.* 6*d.* and 18*s.* 6*d.* appear to be the largest prices received for country grants.

1738. Mr. *Childers.*] What was the amount of the quantity of that at 18*s.* 6*d.*?—1,184 acres.

1739. Mr. *Hutt.*] Can you give the average price per acre in that year?—The average price of the land sold in 1834, was rather more than 8*s.* an acre.

1740. Mr. *Childers.*] Can you state the price of the highest town lot?—Here is one at 41*l.* an acre (eight acres and three roods).

1741. Are you in the habit of striking the average price per acre in the Colonial Office?—No.

1742. *Chairman.*] Has there been any extension of the survey department since the system of sale was introduced in 1831?—There has been a diminution of the surveying department at New South Wales.

1743. Why was that?—Because less land has been granted to settlers since the system of sale was introduced.

1744. Do the surveys now extend far beyond the land actually occupied?—They are confined chiefly to the neighbourhood of settled districts.

1745. Are you aware how far the surveys are ahead of the population?—No.

1746. Sir *George Grey.*] Are you aware whether there is any large quantity of land surveyed beyond that actually sold?—No.

1747. Mr. *Gladstone.*] Do you know in which township the land was situate that brought 41*l.* an acre?—In the county of Cumberland.

1748. Mr. *Childers.*] That is the one in which Sydney is?—Yes; it was a building allotment.

1749. *Chairman.*] Have you any account of the quantity of land surveyed and not sold?—No.

1750. Sir *George Grey.*] Has not a map been received within the last two years of the part surveyed?—A map was sent home two years ago which showed the extent of country surveyed.

1751. Would not it show the amount actually settled?—I think not.

1752. *Chairman.*] Of what does the surveying department consist now in New South Wales?—In the year 1834 the surveying branch of that department consisted of a surveyor-general, one deputy surveyor-general, three surveyors, nine assistant-surveyors, and six draftsmen.

1753. Is the survey actually done by these officers or by tender?—By those officers; both the general survey of the country and also the survey and measurements of the grants to settlers.

1754. Are you aware whether regular maps and plans are sent by them, to which all settlers can have access?—Yes, they are kept in the Surveyor-general's Office.

1755. Has the surveyor-general any other duties than that of superintending the survey; is he connected with the disposal of the land afterwards?—He superintends the construction of roads, bridges, and other public works; but he does not appear to be charged with the sale of land.

1756. Do you know what the present expenses of the surveying department are annually?—The expense of the survey branch in 1834 was as as follows: Fixed salaries, 7,943*l.*; contingent and accidental expenses, 4,176*l.*; total expenditure, 12,119*l.*

1757. Those were for New South Wales alone?—Yes.

1758. What was the expense of the similar department in Van Diemen's Land?—In the year 1834 the fixed salaries in the surveyor-general's department amounted to 4,696*l.*; contingent and accidental expenses to 1,840*l.*; total 6,536*l.*

1759. Of what is the surveying department in Van Diemen's Land composed?—In 1834 it consisted of a surveyor-general, a deputy surveyor-general, eight assistant surveyors, five temporary assistant surveyors, one draftsman, and three assistant draftsmen.

1760. The Committee have been led to understand there is very little more land to be disposed of in Van Diemen's Land; are you aware whether that is the case?—In Van Diemen's Land, at the end of the year 1833, there were undisposed of 12,270,189 acres.

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1761. Are you at all aware how much of that land is good land?—That I cannot tell.

1762. Have you not heard it stated that almost all the good land in the colony is already occupied?—That appears to have been the opinion in the colony for the last ten or twelve years.

1763. Sir *George Grey.*] Since you have heard that statement, has a great quantity of land been disposed of?—One hundred and sixteen thousand eight hundred and three acres were sold in 1831, 1832, and 1833, including the Ross reserves.

1764. *Chairman.*] For what were they reserved?—They were reserved to form a fund for the future maintenance of the orphan schools.

1765. Will you state the circumstances under which they were brought into the market?—They were brought into the market in blocks of 4,000 acres; they were sold on the following terms: a deposit of 10 per cent. to be paid at the time of the sale, half the balance at the end of six months, and the other half at the end of twelve months, without interest. The price varied from 16 *s.* to 29 *s.* per acre.

1766. In what year were they sold?—They were sold on the 12th of June 1832.

1767. They were sold after the introduction of Lord Ripon's regulations?—Yes.

1768. Mr. *Hutt.*] What was the expense of the surveying department in New South Wales in 1834?—£. 12,119.

1769. What was the amount of land surveyed?—From 1 January to 30 June 1834 about 648,497 acres.

1770. *Chairman.*] What is the amount of land sold in Van Diemen's Land during the three years of which you have a return?—In the year 1833 there were 16,965 acres sold; of that quantity 111 were town allotments.

1771. What was sold in 1832?—In 1832 there were 75,952 acres.

1772. What was the quantity sold in 1834?—The return for that year has not yet been received; 23,886 acres were sold in 1831.

1773. Mr. *Childers.*] What was the gross amount of the Ross reserves?—About 32,000 acres.

1774. Mr. *Hutt.*] Have you any means of stating the expense of surveying per acre?—No.

1775. *Chairman.*] What are the total receipts from the sale of land in Van Diemen's Land since the system of sale was introduced?—From 1831 to December 1834 about 25,459 *l.*

1776. Lord Ripon's regulations came into operation in the middle of 1831?—Yes; the total amount of land revenue received at Van Diemen's Land in 1831 was 2,463 *l.*; in 1832, 13,607 *l.*; in 1833, 7,234 *l.*; in 1834, 4,673 *l.*; in 1835, 15,319 *l.*

1777. Sir *George Grey.*] Does that account include the sale of lands?—It includes the sales of land, the quit-rents, and all other revenue derived from land.

1778. *Chairman.*] Are the Committee to understand that the proceeds of 92,917 acres of land, including the Ross reserves, which you say were sold at 16 *s.* to 29 *s.* an acre, amounting to 32,000 acres, and all produced only 20,720 *l.*?—The total sold in 1832 was 75,952 acres.

1779. What was the receipt for land sold in 1832?—£. 13,207.

1780. What is the receipt for 1833?—£. 6,697.

1781. How do you account for the amount of deficiency of purchase-money as compared with land sold; have you any means, by returns before you, of accounting for it?—The deficiency appears to have arisen from the non-completion of the purchase of the greater part of the Ross reserves.

1782. What should you state the sale price of the Ross reserves?—They were sold for from 16 *s.* to 29 *s.* an acre. One of the purchasers was not able to complete his purchase; he forfeited his deposit in consequence, and the land was resumed.

1783. What was the amount of deposit forfeited, and the amount of the sale not completed?—The deposit amounted to 2,373 *l.*, and the land to 28,000 acres.

1784. Has the sale never been completed up to this day?—In October 1834 orders were sent out for it to be resold.

1785. Has it been resold?—No report of its sale has been received.

1786. Was this the purchaser of the whole of the Ross reserves?—Not the whole of them.

1787. Mr. *Hutt.*] Was that the case of Mr. Smith?—It was.

1788. What

1788. What was the amount of deposit he paid; what proportion did it form?—It was a deposit of 10 per cent.

1789. You understand Mr. Smith has no longer possession of that property?—Yes.

1790. It has reverted to the Government?—Yes.

1791. You stated that you are not aware that land has been granted gratuitously to any party since 1831, except in some particular instances?—Yes.

1792. Sir *George Grey.*] Have the parties who went out with the regulations of 1827 had their claims recognized on the ground of a positive promise?—Yes.

1793. Are some of those claims still coming in?—Yes, they are.

1794. Mr. *Hutt.*] Are the officers and surveyors in the habit of purchasing land themselves?—I am not aware of that.

1795. Do you know whether it would be considered correct for a surveyor to become the purchaser of land he had surveyed?—I think at one time there was a rule that no surveyor should have land either by grant or purchase, as long as he was a surveyor.

1796. Is that rule still observed?—I do not know that that rule exists now; that rule was established about 1827 or 1828.

1797. Do you mean to say that there is no such rule?—I am not aware whether it has been revoked or not.

1798. There is a statement made of a considerable purchase made by a surveyor; would you credit that, from your knowledge of the proceedings in the colony?—I am not aware of the circumstance.

1799. Do you know what proportion of the Ross reserves are in the possession of the Government?—The lots which Mr. Smith purchased, and which reverted to the Government on his failing to comply with the conditions of the sale.

1800. Were the rest sold?—Yes, to a settler of the name of Horn, who gave 29*s.* an acre for it.

1801. Mr. *Scrope.*] Were there only two purchasers?—Only two.

1802. Were they put up in two lots only?—No, in eight lots.

1803. Were they in different situations?—No, it was one tract.

1804. Mr. *Childers.*] Do you know why it was put up in such large lots as 4,000 acres?—Because it contained a great deal of inferior land, and was deficient in water frontage. The lots were marked off in slips, so as to give to a block of good land an equal portion or slip of the bad land with an equal share of the water frontage.

1805. Mr. *Scrope.*] Were the lots marked out by parallel lines of latitude and longitude, or irregular?—I cannot say.

1806. You are not aware whether particular boundaries were taken?—As a general rule, advantage was to be taken of every natural boundary in the division of the country.

1807. Then it would follow that the boundaries were regular?—I am not aware of that point.

1808. Are not the boundaries laid down in the maps sent home?—There is a map which came home a year and a half ago which contains all the grants.

1809. Mr. *Hutt.*] In the year 1835 an order was made by the House of Commons for a return of all sales of lands in New South Wales and Van Diemen's Land, from the 31st of December 1823 to the 1st of January 1834, distinguishing between Crown lands, Crown reserves, and clergy reserves; and specifying in the order of date in which such sales were effected, first, the quantity of land in each lot; secondly, where situate; thirdly, the conditions of sale; fourthly, the price per acre; fifthly, the monies received in payment; and sixthly, the application of such monies: and also a return of all grants or appropriations of Crown lands without purchase, between the same dates, showing the quantity of land granted or appropriated to each holder, where situate, and under what conditions. Those returns have never been presented?—The governors were written to for the returns; those for Van Diemen's Land have arrived, but they have not been presented, because the returns for New South Wales have not yet been received.

1810–1811. You state that you are not in possession of certain facts; do you conceive you are in possession of as much information on those subjects as any gentleman in the Colonial Office?—I am the only one now in the office who has been connected with the Australian department for any length of time.

1812. Sir *George Grey.*] Do you mean to say that the documents in the office do not furnish you with information as to the questions put to you for the first time to-day, or that your memory does not enable you to state any facts other than those

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you have stated?—What I meant to say was, that I did not recollect them; not that the records of the office did not contain the information.

1813. Do you mean to say that if you had known what questions would be put, and you had searched the records of the office for the last 25 years, you might not have been able to give information upon some other points?—If I had been aware of the questions that would be put to me, and had had sufficient time to search the records, I should have been prepared to answer them more satisfactorily.

1814. Is the correspondence respecting New South Wales and Van Diemen's Land very voluminous?—Very voluminous.

1815. *Chairman.*] Under whose charge is that correspondence?—There is a department in which the whole correspondence relating to the Australian colonies is conducted.

1816. Is there any one clerk in the Colonial Office whose duty it is to take charge of land appointments?—No.

1817. No officer has been charged with that duty exclusively?—No.

1818. Sir *George Grey.*] Has the chief clerk of the Australian department the general charge of that?—Yes.

1819. *Chairman.*] Are you now chief clerk?—No.

1820. He is charged with all matters relating to the land in his department?—Yes.

1821. *Chairman.*] What is the security for the permanency of the present system of disposing of land by sales instead of grant in the colony?—It depends upon the King's pleasure.

1822. The system was established by certain orders which issued from the Colonial Office?—By instructions under the sign manual in the year 1831; there are extracts of them given at page 3 in the Sessional Paper of 1831, No. 328.

1823. By whom were those signed; by Lord Ripon?—They were signed by the King only.

1824. Certain instructions were transmitted from the Colonial Office to the governor, signed by Lord Ripon?—The Royal Instructions were sent to the governor in a despatch from Lord Ripon, a copy of which is to be found at p. 10 of Sess. Paper 328 of 1831.

1825. That order may be revoked of course by the same authority which has issued it?—Clearly.

1826. Are you aware whether, since the system of sale has been introduced, any grants have taken place by authority of the governor or the Colonial Office?—I am only aware of those cases in which parties had received promises of land under the old system, or had gone out on the full expectation of receiving land upon those terms, and in ignorance of the change; those parties of course got their grants.

1827. What was requisite to prove the existence of a previous promise?—The production of evidence of the fact. Persons who left England for the colony a few months after the publication of the new regulations, were required to furnish proof on oath, of their having either gone out in the full expectation of receiving land under the late regulations, or of their not having become aware of the change until after they had so far completed their arrangements, as not to be able to alter their plans without serious loss.

1828. Was any allowance made for promises previously made in the colonies?—Yes, there was a distinct reservation in Lord Ripon's despatch of 9th January 1831, which is to be found at p. 6 of 328.

1829. The nature of the reservation is pointed out distinctly in Lord Ripon's despatch?—Yes.

1830. Can you advert to the terms of that?—"In the meantime I should wish you to suspend all further grants of land, excepting to persons to whom you may already have made positive promises, and to those who may have received from this office the printed regulations hitherto in force, and have proceeded to the colony on the faith of obtaining land accordingly."

1831. Those are the only exceptions to the rule of which you are aware?—The only case I am aware of is that of Captain Sturt. That officer commanded two exploring expeditions, and made very important discoveries in Australia. While employed on that service, he encountered great privations, and suffered severely in his health. In consideration of those services, and the pecuniary sacrifices which he had made, it was thought right to give him a grant of land, which he would have received, had he applied for it, on his return from his second journey.

1832. Sir *George Grey.*] When did he come home?—He left the colony in March 1832.

1833. He

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1833. He came home without notice of the new regulations?—The new regulations were then in force.

1834. Did he nearly lose his sight in the service?—Yes, and he received on that account an allowance of 100*l.* a year, which he relinquished on receiving the grant of land.

1835. Was that granted by order of the Secretary of State or the colonial government?—By order of the Secretary of State.

1836. When?—On his return to the colony in October 1834.

1837. By Lord Ripon himself?—By Mr. Spring Rice.

1838. What was the amount granted to Captain Sturt?—About 5,000 acres, including the portion to which his services as a military officer entitled him.

1839. Was that in Van Diémen's Land or New South Wales?—In New South Wales.

1840. Did he go out to settle on it?—Yes.

1841. He is there now?—Yes, he is.

1842. It has been stated that Dr. Brock obtained a grant of 1,000 acres in the latter end of 1834, or the beginning of 1835. Did he in point of fact get a grant of land?—Yes, he did, by order of the Secretary of State.

1843. Have you the despatch of the Secretary of State, authorizing the grant?—Yes.

1844. Does that contain the reasons on which the grant was made?—Yes; the following are the words of Lord Stanley's despatch: "As it appears that the claim of Mr. Brock comes within the meaning of my predecessor's decision in regard to persons who had quitted this country for the colony before they could have known of the change in the land regulations, and that you delayed submitting this claim until you should have learned the decision upon others of a similar nature, which you had forwarded for consideration, I have no objection to Mr. Brock's receiving a grant upon the old terms, provided he is able to afford the proofs of the circumstances under which he left this country, which Lord Goderich required each person to produce, who received the benefit of the above-mentioned decision."

1845. Do you know anything of a grant to Mr. Mann, an Irish gentleman, who is stated to have introduced a good deal of capital, and settled in Launceston, and had grants made since 1831?—A reserve of land was made to that gentleman by Colonel Arthur, pending a reference of his case to England; but in consequence of the adverse decision of the Secretary of State, Mr. Mann did not obtain the land.

1846. Will you look at the names of the individuals mentioned in Mr. Bryan's evidence who are stated to have received grants since 1831, contrary to the existing regulations; are you able to afford information whether those grants have actually been made, and if so, under what circumstances?—The grants to Messrs. M'Leod, Mr. Seymour, Mr. T. Scott and Messrs. Walker, were given a short time before the new regulations came into operation. Mr. Burnley and Captain Forster emigrated on the faith of the old terms. Mr. Friend and Captain Wood were promised the land by the governor before the change was known. Mr. Willis received his land in compensation for losses. Mr. Cotter and Mr. Muntz received land in November and December 1831; reasons not stated. Mr. Aiken has not received his land, the Secretary of State having refused to confirm the grant. Mr. Edward Archer, Mr. Davis, Messrs. Hamilton, Mr. M'Kane and Mr. George Sams, do not appear to have received any land since the introduction of the new system.

1847. Are there any other circumstances on which you have information?—Merely Mr. Bryan's case, with respect to his original grant of land.

1848. What are the circumstances with reference to his original grant of land, as they appear on the record of the Colonial Office?—The following is an extract of a despatch from Lieutenant-governor Arthur to Mr. Secretary Stanley, dated Van Diemen's Land, Government House, 23d December 1834: "The first grant was for 1,000 acres on the 7th September 1824; in the beginning of 1825, Mr. William Bryan represented the improvements he had made upon it, and on the 10th of March 1825, an extension of 500 was ordered. Shortly afterwards Mr. Bryan gave some proof that the ship 'Ardent,' of which he was part owner, had been sold, and that he had received some accession of property; and thereupon a further extension was granted on the 25th November 1825, making the total maximum grant of that day 2,000 acres, which at that period was the utmost the most favoured settler was eligible to receive. In November 1828, on his application for land in extension, 1,000 acres in addition were located to Mr. Bryan, and again, on his

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further application in November 1831, 1,000 acres more were located to him, making a total of 4,000 acres.

1849. Does it appear that the 4,000 acres were granted in pursuance of the regulations by the governor or by the direction of the Secretary of State here?—From the words of the letter before me it would appear that Colonel Arthur did it himself.

1850. Are you aware of any direction by the Secretary of State, as to 500 acres being granted by the Secretary of State to him?—In October 1825, the Secretary of State directed Colonel Arthur to increase the grant of 1,000 acres, first given to Mr. Bryan, to 2,000 if he possessed sufficient capital, and if there were no objections to his receiving it. But long before that despatch was received, the additional land had been given by Colonel Arthur. Again in February 1828, the Secretary of State directed 500 acres more to be given to Mr. Bryan, provided there were no objections to his having it. The result was that Colonel Arthur, finding Mr. Bryan's improvements on his former grants entitled him to more land, gave him 1,000 acres.

1851. Is there any letter from Mr. Bryan, expressing himself satisfied with the amount granted?—The following is a letter from Mr. Bryan to Colonel Arthur, dated the 26th March 1825: "Sir, Permit me to return you my sincere thanks (as much for the manner as the matter) of your very kind letter of the 11st instant. I am fully aware you would not use your high authority to aggrandize the already overgrown property of the long established, at the expense of those lately arrived. To the same principle of impartiality which you have already evinced in my cause, I leave the increase of my grant, resting quite satisfied that if my exertions deserve it they will be rewarded. *William Bryan.*"

1852. How much land had Mr. Bryan had at that time, and how much did he afterwards receive?—He had received then 1,500 acres.

1853. He received afterwards altogether 2,500?—Yes.

1854. Was any part of that by purchase?—These appear to be all grants.

1855. Mr. *Hutt.*] Have you seen Mr. Bryan's evidence, as given before this Committee?—It would appear, from his statement, that his grant was increased to 2,000 acres in consequence of Lord Bathurst's orders, and that his having appealed to his lordship had prejudiced Colonel Arthur against him. I have shown that that increase took place before the despatch reached the colony, and that in 1828, Colonel Arthur gave Mr. Bryan double the quantity authorised by Lord Bathurst.

1856–1857. Sir *George Grey.*] With regard to the right of the governor of Van Diemen's Land and New South Wales, to remove assigned servants, has any opinion on the legality of that power been taken?—In the year 1829, a question arose as to the power of the governor to remove assigned servants.

1858. Was that referred to the law officers of the Crown?—Yes, in December 1829.

1859. Who were the law officers of the Crown to whom that question was referred?—The Attorney and Solicitor-general for the time being.

1860. Did they give an opinion as to the power of the governor to remove assigned servants by his own authority?—The opinion is in these words, "We are clearly of opinion that under the 9th section of 9th Geo. 4th, c. 83, the governor can revoke the assignment of a convict, of whose sentence it is not intended to grant any remission, and we think that there is nothing either in the context or the apparent policy of the Act which militates against that construction."

1861. Was the substance of that opinion transmitted to the respective governors?—Yes.

1862. In point of fact, has that right been exercised in any case within your knowledge?—Yes; General Bourke revoked the assignment of several convicts during the year 1834.

1863. Is it the practice to exercise that right?—Yes.

1864. Is that practice enforced for the purpose of the maintenance of the necessary discipline of the convicts?—Yes.

1865. If that is conceived by the governor to be insufficiently attended to, by the person to whom they are assigned, he has the power of revoking the assignment?—Yes.

1866. Mr. *Hutt.*] Does not that power, vested in the hands of the governor, enable him to ruin the settler who is in the habit of receiving that assistance, and from whom that assistance is suddenly withdrawn?—There would be the check of public opinion on the conduct of the governor.

1867. Sir *George Grey.*] Is there any control exercised by the Colonial Office also?—A return is sent home from New South Wales every year of the assignments revoked, and the reasons.

1868. Is it not one of the necessary incidents to the advantages derived from convict-

convict-labour, that the maintenance and security of that labour depends upon the conduct of the settler to whom the the convict is assigned?—Certainly. Mr. *H. S. Kelsey.*

1869. *Chairman.*] With regard to Port Philip, are you aware of the circumstances relating to that settlement?—Yes. 11 July 1836.

1870. Have you any correspondence between the Secretary of State and the governor of the colony upon that subject?—I have; the same shall be delivered in.

1871. Mr. *Scrope.*] Has the governor of New South Wales the power of letting pasture land that has not been sold, and does he practically do so?—He does so, under the following regulation, which is to be found at p. 31, Sess. Paper 394 of 1832: "All Crown lands within the prescribed limits will, if applied for, be let by auction, in lots of one square mile, or 640 acres each, as nearly as practicable. Persons desirous of renting such lands, will address themselves to the surveyor-general, taking care to describe accurately the situation of each section applied for. The lands so applied for will be advertised for one month, and the lease of each lot for one year will then be put up to public auction. No lot consisting of less than one square mile, or 640 acres, will be let, except in special cases, which may render expedient a departure from this rule. Each lot will be put up at a rent of 20 *s.* a year, and the highest bidding (not less than that sum) will be accepted. It is to be distinctly understood that the lands so let will be open for purchase; and in the event of their being sold, must be surrendered by the lessee upon one month's notice."

1872. Is that part of the instructions of 1831?—Yes.

1873. Is that instruction confined to surveyed land, or does it extend over unsurveyed also?—All lands within the prescribed limits that are unoccupied.

1874. Do you know whether the surveyor had surveyed the Ross reserves?—No, but it may be assumed that they were surveyed.

1875. Can you give the names of the purchasers of the Ross reserves?—Mr. Smith and Mr. Horne.

Sir *George Grey*, Bart., a Member of the Committee, Examined.

1876. Mr. *Hutt.*] HOW are the expenses of female emigration defrayed?—The expenses of female emigration have been defrayed out of the proceeds of the sale of lands in the respective colonies of New South Wales and Van Diemen's Land. Lord Howick when Under-Secretary of State for the Colonies, on the 16th of July 1831, addressed a letter to the Secretary of the Treasury, which is to be found in page 15 of the Parliamentary Paper, No. 328, ordered to be printed by the House of Commons on the 13th of October 1831. In that letter Lord Goderich proposed, with the approbation of the Lords of the Treasury, to apply the net revenue arising from the sale of land, in encouraging the emigration of females from this country, and the reasons for that proposal are given in a subsequent part of the letter. The Treasury, in a letter from their Secretary to Lord Howick, of the 22d of July 1831, generally concurred in that proposal, but requested to be informed of the present amount of the income, and the arrangements Lord Goderich might make for carrying the plan into effect. In the following letter, which is printed in the same Parliamentary Paper, Lord Howick states the probable amount at 10,000 *l.* That amount must have been calculated on every insufficient data, the system only having been recently changed, and no accurate information obtained, on which the estimate could be made of the probable amount which was to be derived from the sale of lands. The Secretary to the Treasury, in the letter of 27th September 1831, stated that the Board entertained no objection to Lord Goderich's plan of appropriating 10,000 *l.* from the fund arising by the sale of land at Sydney and Van Diemen's Land, to defray a moiety of the expense of conveying 1,200 female emigrants to those colonies, on the distinct understanding that no other appropriation of the produce of the sales should on any account be allowed till that expense of 10,000 *l.* had been liquidated; in point of fact, it has since exceeded the 10,000 *l.* Sir *G. Grey*, Bart. M.P.

1877. Can you state the number of female emigrants who have gone out, and the whole amount expended upon their passage?—

		Number of Females.	Amount.
1832 & 1833	New South Wales	761	£. 9,812
	Van Diemen's Land	509	7,114
1834	New South Wales	474	5,688
	Van Diemen's Land	371	4,452
1835	New South Wales	457	8,416
	Van Diemen's Land	400	6,590

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After the first arrangement an alteration was made, by which the whole expense of their passage to the colony was defrayed, instead of a moiety only. The commissioners of emigration, who were sitting in 1831, recommended that there should be a convict tax imposed in the colony, in order to raise a fund for the purpose of emigration from this country to the colony. That tax was never imposed; and a portion of the proceeds of the sale of lands has been applied in aid of the emigration of married couples, but they have not received the same amount of assistance which has been granted to single females. The latter have been allowed the whole amount of their passage; married couples have only received 20*l.*, and under special circumstances 30*l.*, in aid of their passage.

1878. Why do you send out unmarried females to the colony?—The reasons are adverted to in the letter of Lord Howick; the passage in Lord Howick's letter of the 16th of July 1831, is this: "Their Lordships are doubtless aware how necessary it is for the moral improvement of the colony to correct the existing disproportion of the sexes, which has produced such unhappy effects; but independently of this consideration, and in a merely financial point of view, Lord Goderich is convinced that the funds produced by the sale of land, if applied in the manner he has suggested, will be found to have been laid out in a most advantageous manner. The colonial revenue is chiefly derived from duties on articles of general consumption, and has been found to advance more than in proportion to the increase of the population. There is no reason to doubt that it will continue to do so. Nothing therefore can have a greater tendency to ensure its improvement than the emigration of a sufficient number of females to supply the existing deficiency; this being all that is required to enable the population to advance with that rapidity which is to be expected from the high rate of wages, and from the abundance of all the necessaries of life." I should state that I believe very great evils have arisen from the disproportion of the sexes; and that disproportion, in the ordinary course of things, is increasing on account of the much larger number of male convicts than of females sent from this country.

1879. You are still sending out more males than females to Van Diemen's Land, even taking into consideration the number of female emigrants, are you not? —I have a Comparative Statement of the Number of Convicts arrived in New South Wales from the year 1825 to 1834, distinguishing male from female.

[*The same was delivered in, and read as follows:*]

COMPARATIVE STATEMENT of the Number of Convicts arrived in *New South Wales* from 1825 to 1834.

YEAR.	ENGLISH.		IRISH.		TOTAL.
	MALE.	FEMALE.	MALE.	FEMALE.	
1825	764	140	901	111	1,916
1826	679	- -	1,036	100	1,815
1827	1,239	342	846	160	2,587
1828	1,589	179	752	192	2,712
1829	2,008	319	1,163	174	3,664
1830	2,096	128	685	316	3,225
1831	1,437	206	692	298	2,633
1832	1,810	248	928	133	3,119
1833	2,719	377	794	261	4,151
1834	1,923	284	781	173	3,161
Totals -	16,264	2,223	8,578	1,918	28,983

I have also a Comparative Statement of the Number of Free Emigrants arrived in New South Wales in each year from 1829 to 1834, distinguishing males from females. It appears that in the first four years the number of males out of the free emigrants also exceeded the number of females; but that subsequently the number of females has exceeded the number of males; but not nearly in a sufficient number to keep down the increase of males in the colony:

COMPARATIVE STATEMENT of the Number of Emigrants arrived in *New South Wales* in each Year from 1829 to 1834.

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YEAR.	MEN.	WOMEN.	CHILDREN.	TOTAL.
1829	306	113	145	564
1830	166	70	73	309
1831	185	98	174	457
1832	819	706	481	2,006
1833	838	1,146	701	2,885
1834	571	596	397	1,564
Totals -	2,885	2,729	1,971	7,585

Since the limit of 10,000 *l.* in 1831, there has been no specific sum assigned as a maximum for female emigration; but the Secretary of State, with the concurrence of the Treasury, has sanctioned the expenditure which was required for this purpose. It has been limited only by the number of females offering to go out to the colony. The whole of the proceeds of the sale of lands has not been required for that object.

1880. Mr. *Scrope.*] Has there been assistance given to artizans?—Yes, to married couples; but the assistance of 20 *l.* has been too limited to induce them to avail themselves of it extensively.

1881. If the passage were gratuitous, there would be many more artizans probably?—I have no doubt there would, and the whole system is now under revision. In 1834 the colony was required to take upon itself certain charges for the police and gaol establishment, not exclusively connected with the penal discipline of the convicts, but of a mixed character, and required for the protection of the inhabitants themselves. The Treasury, according to the usual rule, considered that those charges should be borne by the colony, and they at the same time agreed that the balance of the land fund, which might be at the disposal of the Crown, after providing for emigration, should be paid into the colonial treasury, to be applied by the governor and council in aid of the general revenue of the colony, which was to bear the additional charge.

1882. That was a regulation of the Government here?—Yes; the result has been that the governor has estimated the amount of this revenue and sale of land during the current year at 42,000 *l.*, and has included this sum in the general revenue of the colony. He has not distinguished it, except as a separate item, from the other sources of revenue; and the colony has provided for those charges which they were called upon to provide for. The sum of 30,000 *l.* out of the gross revenue of the colony has been voted, by the governor and council, for the purposes of emigration for the current year. A report on the subject, from a committee of the council, has recently been received, and is under the consideration of the Secretary of State, in which it is proposed that individuals should be selected in the colony and sent to this country, in order personally to superintend the arrangements for the selection of a proper class of emigrants, and who should be responsible for the due discharge of the trust reposed in them. Two persons who went out as surgeons-superintendent of convict ships have been already appointed by the governor for this purpose, and have recently arrived in this country. One of them is now preparing to proceed to Scotland, where he has been directed by the governor to select such persons out of those willing to emigrate, as are most wanted in the colony. The expense will be defrayed out of the 30,000 *l.* In the last estimate 42,000 *l.* is the estimated amount of the land revenue, and 30,000 *l.* is the sum voted for emigration. Assuming the 42,000 *l.* to have been realized, there would in fact remain 12,000 *l.* for the general purposes of the colony.

1883. Mr. *Hutt.*] Under whose direction is this money administered?—It has been administered hitherto under the direction of the Secretary of State and the Treasury, acting through the medium of the committee of emigration in this country, who have had the sole charge of taking up the ships and selecting and fitting out the females.

1884. Is that a paid commission?—No; it is a committee of gentlemen acting gratuitously; a clerk of the Colonial Office, at a salary of 200 *l.* a year, who was previously

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previously on the establishment, has been appropriated to that particular service, but the committee is wholly voluntary.

1885. *Chairman.*] Have you any data as to the amount of land likely to become disposable under any system in the West Indies?—We have no accurate data as to the amount, but we know that some of the West India islands, particularly Jamaica and Trinidad, comprise a large tract of unoccupied land, the right to which is vested in the Crown. Instructions relative to the disposal of these lands have been addressed, in the form of a circular despatch, to the governors of the different West India colonies, which I have already put in. We have not yet received answers to that circular. In Trinidad especially I am informed there is a large quantity of land of a very valuable description. In some of the islands, owing to the exhausted condition of the soil and the amount of the population, there can be very little if any land to be disposed of. British Guiana, I should also think, comprises a large quantity of disposable land.

1886. It is the intention of the Crown to take steps for the purpose of having this land surveyed and sold?—Certainly.

1887. Leaving the mode in which the proceeds may be applied to future consideration?—Yes.

1888. Not applying it to the purposes of emigration?—No plan has been matured as yet, with regard to the appropriation of the funds to be derived from the sale of this land. The question of emigration to the West Indies is one which has occupied considerable attention; but, from the nature of the climate and other circumstances, I think it requires to be very cautiously dealt with.

1889. White emigration from hence probably may be considered as nearly impracticable?—I should apprehend it was, on an extended scale. I have been informed that several proprietors in this country have sent out agricultural labourers to their estates in some of the West India colonies, and that they are doing well. The official information which we have on the subject would, I think, lead to a contrary inference. A number of German emigrants were imported into Jamaica, and they have not turned out useful agricultural labourers; but I imagine that there was much mismanagement in the selection of them. A plan has been proposed (but the sanction of Government has not yet been given to it,) to encourage emigration from Malta to the West Indies. The object contemplated was the introduction by some of the capitalists in the colonies of a hardy class of labourers, who would be less affected, if at all, by the climate than English labourers; and who, from the excess of population in Malta, would be, it is supposed, extremely willing to emigrate to any place where their condition might be improved. The Government, however, have not felt themselves justified, with the information they possess upon the subject, to take any direct means for the promotion of this object.

1890. With regard to Southern Africa, you do not conceive any large portion of land remains?—I do not conceive that any large quantity of disposable land of any value still remains within the limits of the colony.

Mercurii, 20° *die Julii*, 1836.

MEMBERS PRESENT.

Mr. Ward.	Sir George Grey.
Mr. Poulett Scrope.	Mr. Francis Baring.
Mr. Chalmers.	Mr. Hutt.
Mr. William Gladstone.	Mr. Henry Lytton Bulwer.
Mr. Childers.	

MR. WARD, IN THE CHAIR.

Mr. *Hugh Stewart Kelsey*, called in; and further Examined.

Mr. *H. S. Kelsey.*

20 July 1836.

1891. *Chairman.*] IS there any point on which you wish to amend your evidence?—I stated, when here before, my impression that a rule had been established in 1827 or 1828, which debarred a surveyor from receiving land by grant or purchase, so long as he continued a surveyor. I find, by reference to the records of the office, that I was mistaken in that supposition. An order was issued in 1818 to the governor of New South Wales, to discontinue the practice of giving land

land to public officers while in the service. This order was afterwards relaxed, and public officers were placed on the same footing as settlers in this respect. In 1828, however, the governor was directed not to give any more grants to public officers without first obtaining the sanction of the Secretary of State in each particular case. But there does not appear to have been any rule to prevent a surveyor or other public officer from buying land on the same terms as the settlers.

Mr. *H. S. Kelsey.*
20 July 1836.

Mercurii, 6° die Julii, 1836.

MEMBERS PRESENT.

Mr. Ward.	Mr. Hutt.
Mr. Poulett Scrope.	Mr. Pusey.
Mr. Scott.	Mr. Bulwer.
Mr. Childers.	Mr. Francis Baring.
Mr. M. Chapman.	

MR. WARD, IN THE CHAIR.

Mr. *William Bryan*, called in; and Examined.

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6 July 1836.

1892. *Chairman.*] YOU emigrated to Van Diemen's Land some time ago?—I did.

1893. In what year was that?—I arrived in Van Diemen's Land in May 1824.

1894. You obtained land there to a considerable extent?—I got grants of land; I got 1,500 acres.

1895. In what way were those grants obtained; was it a matter of course?—On showing capital; the land I got was according to the capital shown, 1*l.* for every acre; and I conceive that Colonel Arthur did not do me justice, or I should have had a maximum grant, which was 2,000 acres then.

1896. What means were taken to ascertain the extent of the capital?—There was a schedule of the property, that is produced by the party and submitted to the governor's secretary.

1897. Were you required to swear to this schedule?—No; only a statement of the amount of property brought out.

1898. Do you conceive this system of obtaining grants upon the statement of the property, liable to abuse at all?—Very great abuse indeed.

1899. Do you conceive there were many instances in which amounts of property were given in which were wholly fictitious?—Wholly without reality, and very numerous.

1900. But under this statement the grants were made?—Yes, I have known instances of money handed from one man to another, so that he has lodged the money in one of the banks, and shown a bank receipt for the deposit, and on that receipt has got his grant given to him.

1901. So that the same capital has furnished, in point of fact, the means of obtaining several successive grants?—Probably several among acquaintances and friends, who could confide so far in one another as to entrust their money to each other's hands.

1902. The system bears hardest on conscientious people?—Undoubtedly; I do not know that it bore hard, for there was land both for the real and the fictitious capitalist. I did not find myself injured by it, even though those men got land on fictitious capital.

1903. By bearing hard, is meant that it was a restraint in the case of the conscientious man, and not a restraint in the case of the unconscientious?—Certainly.

1904. You acquired more land than those 1,500 acres?—Yes; I conceived I was ill-treated by Colonel Arthur, and appealed to Lord Bathurst, the Secretary of State for the Colonies for the time being, and immediately on my appeal, orders were sent out to make the grant 2,000 acres. I gave great offence to the lieutenant-governor by the appeal home, which offence I was told by one of his friends never would be forgiven; I state this only to show how matters were managed at the time.

1905. Did you ultimately acquire more than that 2,000 acres?—Yes, I then purchased from the Crown 3,000 acres.

1906. At what price?—I think it was 7*s.* 1½*d.* an acre.

1907. Was this after the introduction of the system of sale in 1831, or before that?—It was in 1831 I purchased the land; I got possession of the land in

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August 1831; I think in the early part of 1831 the sale of land system was introduced. Having made considerable improvements on the original grant of 2,000 acres, I got 1,000 acres for those improvements in the shape of an additional grant.

1908. Was that a part of the system which prevailed at the time?—It was.

1909. Whenever improvements were made to a certain extent, an additional grant was given?—Yes, in a ratio supposed to be equal to those improvements, as an encouragement for having laid out capital.

1910. Was that a system publicly established by any regulation from the Colonial Office?—Yes; it is one of the parts of the system. I got a second 1,000 acres additional grant for having built a mill and made other improvements on a distinct property.

1911. Was it also part of the system that every man who built a mill was entitled to 1,000 acres additional?—Part of the system was, that every improvement made created a claim on the Government for compensation as it were; I should call it encouragement.

1912. Was there any scale laid down for the distribution of those rewards?—Yes, I have known of 500 acres being given.

1913. Was there any scale laid down by regulations from the Colonial Office at home?—I believe the orders left it to the discretion of the governor to ascertain the extent of the improvements made by the claimant. I would beg leave to say, that I purchased 1,500 acres more from the Crown.

1914. Making in all how many acres?—I purchased also 600 acres from an individual, and again I purchased 1,000 acres from the Crown, making in all 11,000 acres, which I am now possessed of.

1915. You had upon this land a considerable quantity of stock, had you not?—Considerable.

1916. Have you built one mill, or more than that?—I built one mill, and advertised, in 1833, proposals to build another mill, not finding the existing mill sufficient for the increased population of the country.

1917. Have you any connexion with an establishment in steam-vessels?—Yes; the property that I alluded to as having purchased from the Crown, and from an individual, lies at the mouth of the River Damer, at the head of which is situated Launceston, the sea-port town, on the northern side of the island; a residence on this property for twelve months proved to me, that owing to the prevalence of westerly winds which blew up the river, vessels ready for sea could not get out, and were often, when prepared for the voyage, delayed from a fortnight to three and four weeks. It occurred to me that nothing but the introduction of a steam-tug, or a steam-boat, could obviate this natural defect, if I may so call it, and I proposed to the inhabitants and merchants of Launceston that we should form a joint stock company, making the shares as low as 5 *l.* each, in order to let in the whole community, thereby giving every man an interest; the company was established, and the shares brought into the market. The people, through poverty, I suppose, and through the want of due encouragement from the Government, took only 2,000 *l.* worth of those shares. My brother and I, who were the originators of the thing, and were mainly engaged in it, added 4,000 *l.* to this sum, and sent a captain of a vessel, an old trading gentleman, to Scotland, where he purchased a steam-boat and brought her out.

1918. Was this a successful speculation?—No; she reached Launceston under the care of a very experienced proper man in September 1834; the Government afforded no countenance or protection whatever to this undertaking, on which the success of it mainly depended; I was compelled to come to England from unavoidable circumstances; my brother was too much engaged in his own large concerns to attend to the steamer, and she was sent to Sydney, and sold for very nearly the same that she cost.

1919. What number of labourers did you employ upon this large extent of property, convict and free?—Up to December 1833 I had 30 convicts, 29 males and one female, and I never had less on an average than 15 or 20 freemen.

1920. Do you still retain your land at Van Diemen's Land?—Yes.

1921. Do you intend to return there?—Yes.

1922. You have been attending most days upon this Committee?—I have been here repeatedly.

1923. Has that led to any feeling in your mind that the price of land is likely to be raised in Van Diemen's Land?—I was impressed with the idea six months ago,

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that land would be raised in the colony; that it was impossible that the public or the Government in this country could shut their eyes to the advantages that might be derived from the sale of lands there on a better system than had been heretofore practised.

1924. Have you taken any step in consequence?—In consequence of that feeling I wrote up to my agent to purchase at that minimum price, if it could be got, 10,000 acres of land, and as much more as he could command from my funds.

1925. It has been stated that land, though nominally sold at the minimum price, is not to be got at that minimum price; you suppose it is to be?—It is to be got under certain circumstances; if there is no competition, it is knocked down at the minimum price, which is 5*s.*; if there is competition, I have known it run as high as 29 *s.*

1926. Was that in particularly favourable situations; town-lands, for instance?—No; they were particularly favourable as being very good land; the lands I allude to as going at 29 *s.*, are the celebrated sheep-walks, called the Ross reserves, the best in the island; they were sold to Mr. Smith, from London. Mr. Smith paid a deposit, I believe, of 10 *l.* per cent., but up to the commencement of this year had not paid the principal.

1927. In what year did the sale take place?—In the year 1831, or the commencement of 1832, as far as my recollection goes.

1928. They were not sold in London?—No, in Hobart Town.

1929. Was that before Lord Goderich's regulations as to sale came into effect?—No, it could not be; they must have been sold under those regulations. It was in the latter end of 1831 or the beginning of 1832.

1930. Have you any particular reasons for considering which mode of disposing of waste land would be the best, that of grant or of sale?—I am a decided enemy to sales of land by auction.

1931. The question is between grant and sale; which is the best?—I certainly am more favourable to the selling of land, than the granting of it, seeing the evil effects which have followed from granting land in the colony.

1932. To what do you particularly refer?—The abuses that have arisen in consequence of patronage and of favour, that have been so manifest in a number of instances.

1933. Can you illustrate this feeling of yours at all by example?—Yes; a long residence in the colony, and an intimate acquaintance with almost every individual in it, has enabled me to lay before the Committee some instances, as I conceive, of very gross abuse under the system of grants. I will refer to the case of a person holding a high public office, to which is attached a large salary. He received a maximum grant, sold it, claimed a second grant on the ground of improvement, though he had not laid out a shilling on the first; the second was also sold unimproved; a third grant was made him of a 10 acre allotment in Hobart Town, which he sold for the sum of 700 *l.*

1934-35. What was the name of the person to whom you refer?—Mr. Alfred Stephen, His Majesty's Attorney-general, a near relative to Mr. Stephen of the Colonial Office.

1936. Have you any further information to give to the Committee upon that subject?—I have. The surveyor-general, Mr. Frankland, who had granted to him 2,560 acres, sold it, without having laid out a shilling upon it, for the sum of 1,700 *l.*

1937. Mr. *Hutt.*] You are certain of the fact that no money was laid out by way of improvement?—Not one shilling; it adjoined my property.

1938. Mr. *Scott.*] Are those persons alive still?—Yes.

1939. Mr. *Childers.*] How long was it sold after the grant was made?—I think he retained it for three years; he sold it to an old settler, who had been a convict, who gave him the sum of 1,700*l.* for it. Another case is that of a grant of 2,560 acres of valuable land made to an individual who was never in the island, Mr. Anley.

1940. Where was this individual resident?—In India.

1941. How did he obtain this grant; on what plea?—Through the influence of General Darling, acting on Colonel Arthur.

1942. Did he improve the land or stock it?—No, he let it.

1943. Is he still in possession of this grant?—He is, at least he was, up to the first of this year.

1944. He was not then resident upon it?—He never was in the island either before or since. I have heard an individual say he had bullied the surveyor-general out

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out of an additional grant of land before he had made any improvement on the first grant in extension; I know he got the land he alluded to.

1945. What is the name of the individual?—Archer.

1946. Mr. *Scrope.*] Do you know that the lands were not improved?—He said he had done nothing on the first grant. He used the word "bully," or the colonial phrase "bounce;" I recollect that it made an impression upon me, as showing either the weakness of the system, or the temper of the man. It was not said in private; there were other individuals by. Part of it was township. The townships are eligible situations on rivers or at sea-port towns, reserved by the Crown for towns, and they are called townships. Part of a township was granted to Major Foster, the nephew by marriage of the lieutenant-governor; this property he has sold, without laying out any money on it, to another Government officer.

1947. *Chairman.*] All those cases were previous to the year 1831, when the system of sale was introduced?—Yes.

1948. You are not aware of any grants having been made since 1831?—I have heard of six instances, I think, since 1831.

1949. Mr. *Hutt.*] Are any of them of recent occurrence?—There is one of them as recent as the latter end of 1834 or the beginning of 1835.

1950. What was that case?—A grant made to a Dr. Brock.

1951. What was he?—A medical man.

1952. To what extent?—A thousand acres, I think.

1953. Upon what plea?—I think I have the evidence of his brother to prove that the circumstances were these: He had applied in 1831 for land, and was refused it; he married a relative of the lieutenant-governor's lady, and on that marriage the grant was made.

1954. *Chairman.*] Have you any further statement to make connected with this subject?—A Mr. Mulgrave arrived in 1821, and was appointed inspector of schools at a salary of 100*l.* a year. That gentleman has had several grants made to him, although he has never expended a shilling on any one of them. George Milner Stephen, another relative of the gentleman in the Colonial Office, got a grant of 1,200 acres, which he sold without expending one shilling on it. W. Archer, a bankrupt previous to his leaving England, received a maximum grant in 1829; he retained it. Richard Willis, a bankrupt previous to his quitting England, received in Van Diemen's Land several grants, and became a member of council; this man holds his grants.

1955. What has become of those grants to Mr. Mulgrave?—He has sold them one after another.

1956. Mr. *Hutt.*] Were any of those grants made to Mr. Mulgrave since 1831?—No, not that I am aware of; they were all prior to that period.

1957. *Chairman.*] They have all been brought into the market and have found purchasers?—Every one of them; my brother is a purchaser of one of his grants.

1958. You say there have been six instances of a departure from Lord Ripon's instructions as to making grants since the system of sale was introduced. You have mentioned one; are you aware of other circumstances, of your own personal knowledge?—Yes, I recollect one in particular, Mr. Mann, who got 2,560 acres since 1831.

1959. On what grounds was that?—The grant rested between him and the governor; the public were not informed of it, but that is to be matter of public inquiry, as many have complained of the circumstance.

1960. Who is Mr. Mann?—He is an Irish gentleman, who has introduced a good deal of capital and settled in Launceston. The names of the other individuals to whom grants have been made since 1831 are: Thomas Scott, Mr. Burnley, Mr. Seymour, Mr. M'Kane, Mr. Muntz, two Hamiltons, one Willis, Dr. Cotter, Captain Forster, nephew of Colonel Arthur, Mr. Aiken, Captain Wood, two M'Leods, Mr. Walker, Edward Archer, Mr. Friend, Mr. Davis, Mr. John Walker, Mr. Sams George. There is a case very much complained of in the colony: a deputy assistant district surveyor was appointed, and took the advantage his office afforded him to place his name on his chart, to mark an eligible tract of land, which had been selected by two young gentlemen, whose claim was prior to his. This claim was so strong that Colonel Arthur bought it off by giving a double quantity of land to those young gentlemen.

1961. *Chairman.*] How do you mean this claim was so strong?—They having proved that their claim was prior to that of the surveyor, Colonel Arthur decided that the surveyor should still hold the land, but he gave those young men additional land

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land for giving up their claim. The name of the surveyor is Mr. Wedge; the names of the claimants Messrs. M'Leods.

1962. Mr. *Childers.*] Was this selection for purchase or for grant?—As a grant.

1963. Is there a power of selecting for grant?—Yes; if they get a location order, they may go and choose the land if it is not parted with. I have mentioned one of Colonel Arthur's nephews as having got a grant of land; three others have had the same indulgence, selling them without expending any money upon them.

1964. *Chairman.*] You do not mean since 1831?—No; all prior to that, except Captain Forster's.

1965. Have you any further evidence to give upon these points?—I have known a grant of land to a Mr. Joseph Archer, as compensation for the loss of a quantity of wheat by fire, when it was denied to four other individuals who had suffered the same calamity. I was one of those individuals; I lost 2,000 *l.* worth of corn and hay, by a convict setting fire to it, in April 1833. I can give the names of the persons who got no compensation: myself, Mr. Leith, Mr. Gunning, and Mr. Parker.

1966. They were all sufferers by incendiary fires, and therefore had equal claims?—They had an equal claim in proportion to the quantity lost.

1967. What was the amount given to this individual for his losses?—I should say that 2,000 acres given to a man to select where he pleased was very well worth 1,000 *l.*

1968. Were those grants in conformity with the existing regulations before 1831, or was not there in all those cases a certain amount of capital required in every grant?—In every primary grant it was necessary to show capital, but in every secondary grant the improvement of the primary grant is made a ground for claiming an additional grant.

1969. Mr. *Hutt.*] Do you know the township of Newcastle in New South Wales?—I do.

1970. To whom does that belong?—The houses belong to a number of individuals; it is a considerable village.

1971. To whom was it granted by the colonial government?—I do not believe to any particular person.

1972. There is a coal pit, is not there?—Yes.

1973. To whom does that belong?—That is worked by the Australian Agricultural Company.

1974. Does it belong to them?—Yes; they have the exclusive power of working it for so many years, and the exclusive right of preventing any person opening other pits in the neighbourhood.

1975. Did they obtain that right by purchase or by grant?—The pit, I believe, is the property of the Crown; they have merely the privilege of working it, and that is for having gone to the expense of opening the pit, and making the railways; but it is very much complained of by the public, for that district abounds with coals.

1976. Do you conceive that they put a monopoly price upon their coal?—I cannot say from my experience that the coal is sold at a high price, but of course every person who has a monopoly will make the most of that monopoly; therefore I consider every thing of the kind injurious to the public.

1977. The coal is near the surface?—It is.

1978. What does it sell for?—I paid 8 *s.* a ton for it for the use of my steamer.

1979. Do you suppose if that exclusive right did not exist, coals would be sold at 8 *s.* a ton?—I do not, I think the more of any commodity comes into any market, the cheaper it will be, unless there is a combination among the proprietors of the coal pits.

1980. *Chairman.*] Are you acquainted with the survey department in Van Diemen's Land?—Intimately.

1981. How is that conducted at present?—Up to my leaving the island in August 1834, it was a continual source of complaint; we could not get our lands rapidly or satisfactorily surveyed; to such a height had this grievance got, that we had more than one public meeting to petition the Government to interfere, and to save us from the abuses and neglect of that office.

1982. Have you any appeal at present in case of misconduct in that office; any remedy?—We have no appeal but to the governor, and that is worse than no appeal, for it is a name without the reality; he protects all those men in their abuses, and to appeal to the Colonial Office is beyond our powers; indeed we have no appeal there, because there is a voice superior to ours, that rules every thing.

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1983. What are the evils of the system besides the dilatory mode of survey of which you complain?—Since the arrival of Colonel Arthur in 1824, there has been a continued uncertainty kept up about the title to land, that has had a most injurious effect on the country at large; in many cases it has stopped improvement; in general cases it has created a great deal of discontent, and we find that where discontent exists there is not that attention paid to business that there would be amidst a plain people, such as that country affords, were it otherwise.

1984. How has the uncertainty as to title been created?—One day it is announced that the grants of Colonel Sorell are of no value, that is the predecessor of the present governor.

1985. How do you mean that it is announced?—It reaches the public through the reports of the Supreme Court when there is any action or any litigation about titles; one lawyer declares this, and another lawyer declares that; there has been a continued excitement on the subject of titles to grants; the main objection raised is, that no grant of land is valid unless it has the sanction of the Parliament of Great Britain.

1986. You connect this uncertainty in some measure with the business of the surveying department?—We do, because attached to that surveying department, and which adds to its expense considerably, is a land board for the investigation of titles; and when we want to sell or to mortgage, we must go with title deeds before the land board, and even after all this trouble, still the lawyers throw a doubt upon our titles, and there is nothing which shakes confidence so much as a doubt on the titles of land.

1987. What remedy would you suggest for this?—That the government should at the very earliest stage have applied to the law officers in England, and taken steps to set the matter at rest, by declaring what were the rights of the Crown or the power of Parliament to grant this land.

1988. Mr. *Hutt.*] By what process is Government land conveyed?—When the right is established to claim a grant of land, he gets a location order; and when he has selected the land he means to take, it is marked with his name on the map.

1989. *Chairman.*] By location you mean an order for some county or district in which you are to take the land?—The location order runs that A. or B. is entitled to the quantity of land that may be expressed in the order.

1990. In a particular district?—No; not until the district is decided, then it becomes matter of record.

1991. Mr. *Hutt.*] Has that process been adopted by the parties whose title is in question?—In most cases location orders are reckoned the best titles we have.

1992. Mr. *Bulwer.*] What are the ordinary obstacles to a satisfactory proof of a title; what are the ordinary causes of dispute?—It is the lawyers who, several times in the court, on actions for the trial of property, have created these doubts, and thrown us often into great difficulty.

1993. It is quite clear, if there is an action at law, the lawyers employed on opposite sides will express different opinions, but that would not affect the right to the property; what are the ordinary cases that come into court, on which the lawyers express those opinions?—The principal ground is that I have already given, that the Crown has no right to grant this land, that it rests with the Parliament of Great Britain, and that without its special sanction, our title is not in point of law valid.

1994. Have there ever been any decisions in favour of that opinion?—No; the matter up to this day remains in doubt and in dispute.

1995. Have there been decisions declaring that the Crown has a right to grant the property?—There has been a decision created in this way, that people have bought lands, and have made out a sufficient degree of title to those lands to induce the purchaser to pay money for it.

1996. You say that those cases have come into court, and that the general cause of dispute has been, that the Crown has not a right to grant those lands; has any decision ever been given in favour of the opinion that the Crown has not a right to grant the lands?—I would answer that question in this way, we have no confidence in our judges.

1997. Have the courts ever decided whether the Crown has not a right to grant those lands?—No, I do not recollect that they have.

1998. It has always been decided that the Crown had a right to grant those lands?—

lands?—Yes, the judges have; the difficulty arises from our want of confidence in the legal qualifications of the judges, and hence the question perpetually arises.

1999. A difficulty arises from your feeling that the judges are not capable of giving a right decision?—It does in a great measure; we want the law settled by Parliament.

2000. *Chairman.*] Do you think that an Act of Parliament, establishing the authority from which the title should proceed, would give general satisfaction?—I do; universal.

2001. What do you conceive would be the effect of diminishing the supply of convict-labour, or removing them from Van Diemen's Land?—I consider that any sudden removal of labour, generally or individually, would be quite ruinous.

2002. Do you mean, unless means were taken to supply their wants by free labour?—Yes; if you remove A, and did not put B in his place, or give us equal numbers to those removed, ruin would follow.

2003. Which do you conceive would be the most advantageous to the colony, a system of free labour or convict labour?—Individually, and I beg to observe I speak individually, because it is a matter on which various opinions are entertained in the colony, but individually, if you could gradually destroy convict-labour, and substitute free labour for it, it would be of the greatest advantage to the colony.

2004. Are there any circumstances connected with convict-labour, which is unsatisfactory to the settlers?—There are.

2005. What are those circumstances?—The first and great cause is, the uncertainty with which their right to the service of the convict is attended; the governor claims the power of removing them at his will and pleasure. In four instances he has put that will and pleasure into effect. We deny the power in the governor. There were three actions brought against the governor of New South Wales, General Darling; the three judges gave judgment in favour of the plaintiff; and notwithstanding that, we are quite surprised to find this right claimed by a person in similar circumstances, such as Colonel Arthur, and we deny the right claimed.

2006. Mr. *Hutt.*] Was there no reference made to the law officers of the Crown in this country?—No, I am not aware of any; a report reached us that Mr. Horace Twiss, when Under-Secretary of the Colonial Office, wrote out that the decision of the judges in Sydney was not according to law.

2007. *Chairman.*] Have the goodness to state the inconvenience with which the exercise of this right is attended as regards the supply of labour?—I can give a case in point, and then the Committee will understand it the better. I will give the name of the gentleman: there was a Mr. Crawley, who set up a tannery in a district called Norfolk Plains; he went to a considerable expense, and had his trade gone on he would have derived much profit from it, and the public would have been greatly benefited; when he had brought his manufactory to perfection, he had a dispute with the police magistrate of his district, Captain Smith; Captain Smith made certain statements, with which Mr. Crawley was unacquainted, to the lieutenant-governor, against Mr. Crawley; those statements were acted upon, his men were removed; in consequence of this his trade was destroyed; he became disgusted with the country, and returned to England; he put his case into the hands of his uncle, Mr. Bernal, a Member of The House, who told him it would be useless to bring his grievance before the House of Commons, or before the Colonial Office, Colonel Arthur stood in such high favour there. This Mr. Crawley told me since I came to England.

2008. Have you any personal reason for calling the system an inconvenient one?—I had a personal dispute with a neighbouring magistrate, which induced me to send in my commission of the peace, not choosing to have my name on the commission with that individual. This police magistrate communicated with the government, who took his part, and my name was erased from the commission of the peace; and on Friday, the 28th day of November 1833, I received a letter from the government in Hobart Town, which was 150 miles, from my property (by the post road), telling me that my convict servants should be removed; and in consequence, on the following Monday morning, by 12 o'clock, all my assigned servants were in the hands of the constables and removed.

2009. How many convicts had you in your employ?—I had at that period 29 men and one woman.

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2010. Was that at a period of the year when their services were most important to you?—It was the most important season of the year to the farmer and to the grazier, both which I was then; the harvest had commenced; sheep-shearing had commenced; but in consequence of the removal of those labourers who were so employed, I lost all my crop of hay, oats, potatoes and wheat; they perished on the ground; the sheep were scattered through the country, and I lost a considerable number of them; the remainder were severely injured by the want of proper attendance, which occasioned the rapid increase of the complaint called the scab.

2011. Those servants were removed without giving you time to supply their place?—Without giving me a moment's time, for the letter was dated Friday evening; the soonest that the letter could reach my place was Sunday morning, and on Monday morning my men were removed; there was no possibility of supplying their place; and such was the species of terror in the minds of the free working classes, that no man would come to me to save either the harvest or the wool. I borrowed some convict men from some of my neighbours, by which I was enabled to get my wool, in a most deteriorated manner, to market.

2012. Mr. *Chapman.*] You stated that, in the case of General Darling, actions were brought against the governor; did you follow up this with actions against the governor?—I did; I brought my action against the police magistrate who executed his warrant, and the constable; they were the nominal defendants. I applied for a jury to try my action, laying the damages at 10,000*l.* When my counsel applied for a jury, the chief justice, who sat on the bench, said, that the excitement of the public mind, owing to the circumstance of the removal of my men, and the interest that the press had taken in it was such, that in fact every man in the island was interested in my case (which, by-the-bye, he had created), it was dangerous to let it go a jury, and offered me the alternative of himself and two assessors, two of Colonel Arthur's magistrates, to try this action. I was in court, and wrote to my lawyer immediately to throw up his brief, as it was very evident that no justice could be obtained from a court so constituted.

2013. Did you appeal from this decision to the Colonial Department at home?—May I be allowed to make one observation before I answer that question? The second reason for refusing to go before such a tribunal as this of the assessors, was this: the chief justice is a member of the executive government, and therefore must have been a party to the very act that I complained of before he came into court; so that I could have no possible chance; for he had decided upon the question himself in council, and then came into court to administer justice, or, I would say, injustice.

2014. Did you not, in fact, appeal from his decision to the Colonial Department at home?—Yes; some months after that I left for Sydney, where I remained four months; I then came to England, and appealed, on the 27th day of June twelvemonth, to the Colonial Office; that appeal was answered by a refusal of redress on the 27th day of September, after keeping me for that reply three months, though I had come 17,000 miles to ask for redress.

2015. Have any further proceedings taken place?—The next proceeding that I have taken on that particular question, is, laying a petition before the House of Commons, which is now there.

2016. Was such a system as doing away with a jury, and appointing two assessors, with the chief justice, ever before introduced into the island?—It appears that in 1831 an order went out to the colonies to grant trial by juries in all cases. General Bourke put the order immediately into execution, and up to this day there is no dissatisfaction, nor any complaint as to General Bourke's government. Colonel Arthur, for whatever reason, that remains between him and the Colonial Office to say, would not allow us the benefit, and the lieutenant-governor has arrogated to himself the right of saying whether we shall or shall not have a jury.

2017. Mr. *Bulwer.*] You have reason for knowing that the same order was sent out to Van Diemen's Land that was sent out to New South Wales?—Yes, it was the same order.

2018. Mr. *Scrope.*] Did the two cases against General Darling go to a jury?—Yes, three cases; New, Hall and Healy.

2019. That was in Sydney?—Yes, acting under the same colonial order, which the Government, I believe, intended should be acted upon in Van Diemen's Land.

2020. Mr. *Chalmers.*] What was the answer of the Colonial Office to your application?—I asked for compensation, stating my claims at 14,800*l.*, I think.

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The Secretary of State would give me no compensation, nor would he return me my men; it was a positive refusal.

2021. *Chairman.*] Did they enter into your case?—That rests with the Secretary of State.

2022. Did they call upon you to give evidence?—No, not on my memorial.

2023. Mr. *Chalmers.*] Was there any statement of the Colonial Office in reply to your statement, or any expression of opinion with respect to the refusal to send the case to a jury?—I cannot recollect the particulars; but the opinion I have formed is, that they approved of the decision of the chief justice; but I have all the correspondence.

2024. Mr. *Bulwer.*] You say you addressed the Colonial Office for redress; what was the precise redress you requested?—I believe it was compensation, and to have my men returned; by-the-bye, I beg leave to say, that I merely wanted those men returned as an acknowledgment that I had been wronged, for had I got them I would have returned them immediately afterwards. I would not have kept an assigned servant. The prayer of my memorial went to urge the removal of Colonel Arthur, to grant trial by jury, &c., all tending to the object of enabling me to obtain redress. While Colonel Arthur retained the government, I could not procure witnesses. While one judge and two assessors prevailed, justice could not be administered; nor yet would any man be safe in going before a jury mainly composed of government officers, as most of that class are placed on the jury list. On Colonel Arthur's removal depended the safety of the island.

2025. Was your request to the Colonial Office for compensation for the losses you had sustained, or was it a demand for justice against the person or persons through whom you thought those losses had been inflicted upon you?—It was for compensation, most undoubtedly.

2026. Solely; compensation would have convicted the lieutenant-governor and his party?—Yes, I had no other motive.

2027. In making this demand for compensation, did you state that you would lay before the Colonial Office any grounds to show you had suffered those losses; that you could bring before them proof that you had suffered those losses?—I stated every item of my losses, with the sums attached.

2028. Did you state that you could prove those losses?—I was not asked to prove them; I have proof.

2029. In what way?—By my free servants and written documents.

2030. Did you give in the names of the witnesses you could bring forward?—I was not asked the names, they never went into anything of the kind; it was a point-blank refusal to give me compensation. I made two applications to the colonial government for the grounds of those acts, and I made the same to the Colonial Office, and was refused.

2031. *Chairman.*] Do you conceive that the plan of selling land and applying the purchase-money to the purposes of emigration, might enable the settlers to dispense with convict-labour altogether?—Yes, provided there was the same supply kept up of freemen that is now kept up of convicts.

2032. Mr. *Hutt.*] What is the number of convicts now in Van Diemen's Land?—I suppose 15,000 or 16,000; 12,000 available to assignment, the others either in penal settlements or in Government employments.

2033. Mr. *Bulwer.*] Can you state how many there are in New South Wales?—I should think 20,000.

2034. Do you know the average number of convicts sent out in the course of the year?—I should suppose there are 1,500 come to Van Diemen's Land, and 2,000 to Sydney.

2035. Do you know the average number of settlers that go out there?—I cannot speak to that.

2036. *Chairman.*] You consider one of the great evils of the convict system to be the uncertainty of labour?—Yes.

2037. An uncertainty arising in part from the power the government has of disposing of those labourers, which is used in a partial and unjust manner, and which must prevent prudent men embarking capital, unless they are quite sure of being on good terms with the government, or from undertaking any matter which requires time and combined labour for its completion?—Yes, he must not only be on good terms with the governor, but he must be on good terms with the governor's friends, for the most remote of those friends can do you as much mischief through secret communications with his excellency, as his excellency can do himself. Mr.

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Crawley is a proof of that; he never spoke to the lieutenant-governor, so as to offend him; he never came into communication with him personally on the subject of the convicts; but with his police magistrate, Captain Smith, so that it is impossible to avoid a collision in one way or another with some one of those deputy favourites.

2038. If a man undertakes any work which requires many hands to bring it to completion, and trusts to convict-labour to bring it to perfection, he may at any moment be deprived of all his resources?—He might be ruined by a stroke of the pen. I asked several of my neighbours why they did not express in public their feelings on this account, which rendered them all so dependent; their reply was, that there were not four men in the island but who would have been in gaol a week afterwards, having been treated as I was by Colonel Arthur.

2039. How do you mean by being so treated by Colonel Arthur?—Ruined in the object of carrying on my trade, which prevented me using my land beneficially; for without the labour the land is of no use.

2040. Mr. *Scott.*] Did they express that opinion that this was an act of injustice?—Yes, every man in the island, except the dependents and expectants of Colonel Arthur, who are a very numerous body.

2041. *Chairman.*] Are not men, in all works which require a combination of labour for their completion, thus excluded from the habitual industry of the colony?—Undoubtedly; in the first place capitalists are so influenced by this liability, that they will not embark their money in mills, in breweries, in land, or in grazing, while labour is so uncertain; and the consequence is, that capital that would be beneficially employed in that way, is lent out at an usurious interest. Capitalists, living in the towns and elsewhere, are in affluence, deriving interest varying from 12 to 25 per cent. for their money.

2042. That is the ordinary rate of interest?—Yes; the lowest I ever knew is 12.

2043. Are there other evils connected with the convict system besides the uncertainty of labour?—I would give cases in point of the evils of convict labour: My brother, who is a very large landholder and capitalist, after making certain improvements on his property, when my men were removed he had just completed a mill that cost him 3,000*l.*; he was so shocked that such a power could be exercised, not only inflicting a serious injury on his property, but casting a direct reflection on his reputation, that he returned to government all the convicts he had, stopped all his improvements, ceased to cultivate his ground, and ceased to lay out 1*s.* he could possibly avoid.

2044. Are not there many moral evils connected with the convict system which you have had an opportunity of observing, and from which free labour will be affected?—Yes, many.

2045. Will you state any of them to the Committee?—The congregation of so many men together leads to the most atrocious vices; and I know one instance where, by the aid of convict women, two children belonging to a Mr. Anstie, at the ages of eight and eleven, were debauched by convict men. A public trial took place; one or two of the men were executed, and two sent for life to a penal settlement.

2046. Are there objections connected with the security of property; you mentioned yourself a considerable loss from arson?—Yes; and my loss and that of others had a great effect in raising the price of grain to the exorbitant price it has borne the last two years. There were no less than five stack-yards burnt in the years 1832 and 1833; and this gave a shock to many settlers, and prevented many from continuing cultivation.

2047. Were all those fires attributed to convicts?—Yes; all attributed to them.

2048. Mr. *Hutt.*] Are convicts much disposed to dissipation?—Every shilling they can put their hand on; and it is a most extraordinary thing that those men who to our knowledge earn no money, have always a dollar to spend, and whenever they get it, spend it in rum. And convicts, when they become free labourers, may earn a great deal of money by task-work, which previous to my leaving the colony was very profitable; I paid one man 50*l.*; I gave him a cheque on the bank, and found it in three days afterwards in the bank with the name of a publican upon it; and in four days afterwards he came to me nearly naked, looking for labour, having spent, I suppose, with his fraternity, the 50*l.* I had given him; there could not be more than 10 days between my giving it and his returning.

2049. Do you find that the children of the convicts are much tainted with the vice of their parents?—In Van Diemen's Land we have no great experience, as the

the children are very young; but in Sydney, I am told, a great many native youth of both sexes are very well inclined. In consequence of hearing that, I made myself acquainted with several of them among the poor, and I found that to be the case.

2050. You refer to that return of convicts?—Yes.

2051. Mr. *Scrope.*] Is there any insecurity from the employment of convicts, in respect of pilfering?—Very great insecurity; they pilfer wherever they can.

2052. Do they perform as much work in a given time as a free labourer?—I believe that individual convicts have worked for me as well as ever I was worked for in Ireland; but taking the run of convicts, I would say two free men are equal to three convicts.

2053. Do you employ your labourers, free and convict, by task-work?—The convict always by day-work; the free labourer, in 19 cases out of 20, by task.

2054. What is the reason of that distinction?—They are generally employed in sawing and in fencing. Those are works which are generally distant from the residence of settlers; in this way we have no trouble of overlooking.

2055. You are obliged to keep your convict labourers under your own eye, but you can employ the free labourer at a distance?—Yes; convict labourers are always employed under the eye of the settler or his overseer; without that they do nothing. The very police necessary to be employed for the management of a large establishment of convicts is most disagreeable and expensive.

2056. If you could be supplied with an adequate number of free labourers, who worked at the ordinary wages of free labour, would you prefer that to having the convicts, though you had them gratuitously?—I would rather have free men at wages at 25 *l.* a year, 10 ½ lbs. of meat, and 10 ½ lbs. of flour weekly, a ¼ lb. of tea and 1 ½ lb. of sugar (those are what we call rations), than convicts for their food and clothing, as to the quantum of labour or as to economy. Mr. Talbot, who is a large stockholder, says that he would rather have a free shepherd at 30 *l.* a year than convicts. I am 5 *l.* a year under Mr. Talbot's calculation.

2057. Mr. *Chapman.*] How did the fires you allude to arise; from what sort of feeling on the part of the convicts?—My case will illustrate all the rest: a convict ran away from my service; I had him brought up to the police office, and he was awarded 50 lashes for running away. I told the magistrate it was not my wish to punish the man, that I had much rather get rid of him, and turn him into the government work. He made application to me after he had been turned in, to be taken back; I refused to do it; he then made the same application to my brother, who lives about 20 miles from me, and he refused it, and he ran away from the road party he was assigned to, and came to my property and set fire to my hay-yard, which contained the crops of two years, out of revenge.

2058. Do those malignant feelings show themselves in other cases in the destruction of property?—Certainly; within two years there were five fires of great extent, arising from the revenge of those men.

2059. Mr. *Scrope.*] You feel that you must either put up with the misconduct of your convict labourer, or put yourself into danger of this revenge, by injuring your property?—In a great many instances the dread operates on the settler in this way; it prevents his punishing the convict where he deserves it, being afraid he will return that punishment by burning his property; I have known many instances where that has operated.

2060. Mr. *Scott.*] You have no insurance office?—No, we have not, at least up to my leaving the colony; there was a marine insurance, but not for property.

2061. *Chairman.*] Do you think the price of land ought to be such as to keep every labourer at work for hire for a few years before he became a landowner; and do you consider 5 *s.* an acre adequate or inadequate for that purpose?—No man can commence as a farmer on the smallest scale under 100 *l.*; he has his bullocks to buy, his house to build, all his implements of husbandry to buy; he has his land to pay for, and he has provisions at least for one year to buy.

2062. Mr. *Scrope.*] Supposing his land was given him, could he cultivate, on the smallest scale, a farm without 100 *l.* capital?—I should state not, and I will state my reasons for that opinion: when I was leaving Van Diemen's Land, I let a paddock of 50 acres to one of my convicts who had got his ticket of leave, a remarkably decent, well-conducted man. I obviated his want of capital in this way: I gave him the use of six bullocks during the lease, which was for four years, implements of husbandry, and seed for his ground, for which he pays me a rent of four bushels an acre. Taking the bushel at 5 *s.*, this would be at the rate of 1 *l.* an acre

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acre for the rent and for the implements, he returning to me at the end of the lease the implements and bullocks in the same condition as when he got them. Now I calculate that that man's capital, derived from me, was equal to 100 *l.*

2063. Did he succeed?—I understand, from letters lately from that country, he has paid his rent, and is doing very well.

2064. Is that the smallest farm on which a settler might engage profitably?—I do not think a farmer could settle on anything less in that country, nor ought he to settle on so little; he ought to have a paddock for his bullocks or his cow, and what will remain after those purposes is little enough for cultivation to enable him to live.

2065. Do you find a disposition on the part of the free labourer to settle on land, in the way you have mentioned or any other?—I never met a well-disposed man, either free or bond, a convict having served his time or got indulgence, that was not; they are eager to get a piece of land.

2066. Is it not in their power to obtain a piece of land?—They cannot obtain it under the present regulations, except as they may purchase a spot of land, which they almost never do, from the settlers; our land regulations prevent a poor man from getting hold of Crown land.

2067. Do you find them disposed to purchase pieces of a less extent than 50 acres?—Not unless near the towns.

2068. Practically, the free labourers are not in the habit of making those purchases, nor of becoming settlers except in the cases you have mentioned?—No, they are not, for the reasons above stated; they cannot satisfactorily or with any facility procure land to buy; they are compelled to take the only alternative, which is to rent it. I have set 200 acres to one or two who have come out to the island as settlers. They pay rent in this way: they put up certain rods of fencing as rent for every acre every year, so that I get 800 rods of fencing put up every year as rent for the land they occupy.

2069. Although land is to be disposed of by Government regulations at an upset price of 5 *s.* an acre, you do not find that any number of free labourers are in the habit of labouring for hire to become settlers by purchasing tracts of land?—They cannot purchase a less quantity than 640 acres, and that, even at 5 *s.* (it is doubtful whether they would get it at that price), is beyond their means, and consequently they are driven from that mode of settling; but that there is a strong disposition to become landed proprietors, I have no hesitation in saying.

2070. Still they could not become landed proprietors profitably to themselves, unless they had a capital of at least 100 *l.* to begin with?—Most decidedly not. At the rate of 20 *l.* a year, which is what a man would be able to save if he were a careful man, it would take five years to make 100 *l.* unless he was fortunate in other circumstances.

2071. By the Government regulations at present, land not being sold in less lots than 640 acres, do you not think, if there was an anxiety or demand on the part of the labourers for smaller tracts of land, some capitalist would be found to purchase lots of 640 acres from Government, with a view to subdivide it to meet that demand?—Not in Van Diemen's Land, and for this reason: the dislike these settlers get to the convicts makes them wish, if once they get rid of the convicts, to get them as far off from them as they can; they are very unwilling to bring them about them again by selling them land. As to the free labourer, he often becomes contaminated by the convict, whose assistance he is obliged to call in to cultivate his farm.

2072. There is a prejudice on the part of settlers to allow those men to settle among them?—Yes; to allow any small man to come near their property (Captain Wood gave evidence to that effect), lest they should steal their cattle or their sheep.

2073. Is it not open to any capitalist in Sydney to purchase 640 acres of land in Van Diemen's Land, and to retail it if there is a demand existing?—It would be done by capitalists, I have no doubt, if they could make 50 per cent. of their money, but nothing less than 50 would induce them to embark in a hazardous speculation like that. Any man possessing capital can purchase Crown land.

2074. If a capitalist buying land at 5 *s.* an acre, could be sure of selling it at 7 *s.* 6 *d.* an acre, he would do so?—I recollect many instances of capitalists going to auctions, (and this is one of the very strong reasons I have against sale by auction), and buying land, conceiving if they got it in the neighbourhood of a wealthy settler, he would give whatever they chose to ask to get the land near his farm. I know half a dozen instances of that kind, and it brought odium and disgrace on the

persons

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persons who perpetrated it. It created a feeling that will exist as long as the parties live.

2075. Supposing the present system of selling lands to be continued, and an adequate supply of labourers poured in from the mother country, do you think any further improvements would be required in the mode of disposing of those lands?—I think the arrangement as to the selling prices of land is extremely simple: Survey the land, let it be divided into such lots as your judgment sees fit, then put it into the public market, marking the price of each lot upon it, and let the person who is disposed come and pay his money and get his title; to cut the matter short, let the man sit down secure in his title on his property. The absence of this simple arrangement has inflicted serious mischief on Van Diemen's Land.

2076. Do you state your opinion that the price of 5*s.* an acre for Government lands is too low?—I am so situated as to that subject, and it is a subject of such interest to all my friends in Van Diemen's Land, I must decline giving any opinion as to prices.

2077. You have said that the advantages as to revenue, of selling at a higher price, appeared to you so great, you conceived that the Government would very shortly adopt a new system?—I am not aware that that was my answer.

2078. If any advantage can be gained in your opinion by raising the upset price of land in that colony, do you think that will arise from the larger revenue that will be put at the disposal of Government, or do you look to the advantage arising from its preventing labourers settling on land at an earlier period than they can do at the present price?—As to the price per acre, I must decline giving an answer; there are some lands in the colony worth five times as much as others. An alteration in the system of selling land, from 640 down to 50, would have a very great tendency to produce that which we want most, a peasantry.

2079. You think it desirable that land should be sold in quantities of 50 acres, in order to place such tracts of land within the reach of industrious labourers?—Unquestionably the great fault in the legislation has been to encourage the rich and to depress the poor; this, as far as my experience goes, would have an opposite effect, it would be the means of establishing a peasantry. The unlimited power of granting lands, the unchecked assignment of convicts to partisans and favourites, has created an oligarchy of the most odious kind. Servile to their patron, oppressive and overbearing to all around them, they are the growth of the worst system of government. The only consolation is, the order dies with the generation.

2080. You mean by peasantry, small farmers?—Yes, possessing from 50 to 500 acres, according to their means.

2081. Do you look to having the occasional aid of those small farmers?—I think a farmer holding 50 acres of land, having four sons, could spare something equal to the labour on hire of two of those sons through the year to his neighbours to assist them.

2082. You think greater facilities should be given to the obtaining the land by a class of labourers at present in the colony?—I think portions of land ought to be brought into the market so as to enable the poor man having 100*l.* in his pocket, to buy and cultivate it.

2083. You say 100*l.* must at present require a labourer to work at least five years before he can save it; you do not think it necessary to prevent his being a settler at that period by putting any impediment in the way of his possessing himself of land?—I should say, that a labouring man, without any other means than his labour, cannot possibly save 100*l.* in less than five years; to effect this he must be very industrious indeed.

2084. You do not consider it desirable that he should be prevented procuring land when he has saved that 100*l.*?—If a poor man by honest means gets 100*l.* or any other sum, the sooner he is enabled to invest it for his own benefit, the better.

2085. You think it desirable that he should be enabled to do so as soon as he has the money?—Yes; if he takes himself out of the labour market, he calls another into it to assist him on his newly-acquired land.

2086. Mr. *Childers.*] Are you to be understood to state your opinion that different prices should be affixed to land in the colony, according to the quality of it?—No; I said there was a great difference in the qualities of land.

2087. You said the land should be divided, and the price fixed?—A price.

2088. Mr. *Chapman.*] One price for all the land in the colony?—No; I do not say that.

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2089. Who is to be the judge of the price at which it is to be set?—There is great difference among many able men upon that subject, and I differ with some of them; but I have been induced to give way in some of my opinions, from the arguments I have heard; if the country is laid down and divided into lots, and open to the public for sale, and a price fixed on every lot, I see no objection to it; for a man choosing the land, will of course choose the best, and if it is the best, he has a right to pay the best price.

2090. If there is to be a difference in the price of land, who is to put the price upon the land?—If it is to be managed in that way, the surveyor.

2091. Do not you think he will have just the same power of promoting the interest of his friends as the governor has had?—My proposal is, if that system is adopted, any purchaser, if he dissented from the opinion of the surveyor, should get the land surveyed himself, and get the matter decided by commissioners resident in the island.

2092. Supposing the surveyor has persons he wishes to serve, and he affixes a value, telling them at the same time that it is undervalued, does not that lead to as much jobbing as the system of grant?—The way in which I propose to obviate that is, that the purchaser, if he dissents from the valuation placed on the land by the surveyor, gets it valued and surveyed, and claims inquiry. I conceive nothing ever can be reduced to practice again, open to the abuse the granting of land in the colonies has led to. The Survey-office was part and parcel of this system; it created doubts which required the aid of high-paid officers to investigate.

2093. Supposing it is undervalued, is that prevented by the mode you propose?—Yes; for public investigation and responsibility check jobbing and injustice.

2094. Having such a survey made, why would you object to putting those districts up to auction?—I am a great friend to the industrious poor man; an auction deprives the poor man of great chances; for in nine cases out of ten he cannot come with any advantage into the market in opposition to a rich man. I have known several instances to bear me out, where poor men were known to be desirous to get land.

2095. It was because it was worth so much, the rich man bought it?—Yes; it was because it was worth so much that he could compel them to give more money, which they did of course if they required the land from him.

2096. Mr. *Scott.*] It is equally in the power of a capitalist to purchase a large proportion of land, and then to sell it again; 2,000 acres, for instance?—Any man with capital can buy 2,000 acres; he has not the competition of the poor man.

2097. He still equally excludes the poor man?—No, a capitalist can also buy small complements of land.

2098. Mr. *Chapman.*] If government were to put up land in small lots, would not the small capitalist have as much advantage as the great one?—No, because it then becomes a matter of speculation; the rich man would outbid him; the rich man would buy, to force a higher price from the poor man.

2099. Will a rich man, because he is a rich man, give more than the land is worth?—He may give more for it for his personal use, or with a view to induce the poor man to give a high rent for it, which would afford a high interest for the money deposited.

2100. Can that be the case if there is plenty in the market?—If there is plenty, collision will be unfrequent.

2101. Mr. *Scrope.*] May there not be competition for the best tracts of land, for which those who can afford it will give the highest price by auction, and yet a sufficient quantity remain of the inferior tracts of land within reach of the smaller purchaser?—The man with capital will always command quality and situation, and whatever he leaves behind will be considered inferior.

2102. He will command that only by giving the value of the land; and is it not desirable that land should not be given away, even to poor men, for less than its value?—Supposing a poor man has 50 *l.*, he can go as far as that for his plot of land, but he can go no further; then a rich man comes in and gives 51 *l.*

2103. He will get for his 50*l.* the quantity of land he is enabled to cultivate?—He will get it of inferior quality and in inferior situations, after the rich man has been supplied.

2104. Mr. *Chapman.*] Because that inferior situation is worth the 50 *l.*, and the superior situation was worth 51 *l.*; is not that the reason?—No; it appears to me his want of money drives the poor man out of the market; and I have another objection

objection to auctions in Van Diemen's Land; it has created great heartburning among neighbours; I have known several instances where the bitterest enmities have arisen out of biddings at auctions for Crown lands.

2105. Between competitors?—Yes.

2106. What is the system you would substitute for auctions?—Divide the country into sections, mark a price on every lot of land; every man then who wanted land would apply for any piece that suited him.

2107. Suppose 10 men wanted the same lot, how would you determine their different claims?—I would give it to the man who made the first selection; seniority of application alone should decide who was the purchaser.

2108. Would not there be a great contest and running in order to endeavour to secure the first bidding for a favourite lot; and would not that produce as many animosities in the purchase as competition by auction?—No, I think clearly not; because then there would be one bidding and no more: I was the first in, I paid my money, and I must have it.

2109. Suppose the man who was first in, only because he got in by mere force, struggling with another, would not that produce animosities?—Priority of claim is the only criterion, in my opinion.

Rich Black Soil
Rich and Thinly Timbered Country
Richest description of Country
Thinly Timbered Country
Lucys Rivulet
Murrals Valley
Tea Tree
Water brackish
Mt Hothams track
Open Country
Sandy Forest not extensive
Mt Swanston
DUTIGALLA
Mt Hotmans track
Good Hills
Bare Grassy Hills
Clear Grassy Hills
Shi oak Hills
Extensive Plains
Lagoon
Reserved for a Township and other Public purposes
Fresh Water
Thinly Timbered Shi Oak Hills
R Sorah
Fine Hills
Gums Cypress
A few Shi Oaks
Iramoo
Clear Plains
Fine Plains
Plains
Mt Brucke
Vilumanata
Plains
Mt Iramoo
Mt Hotmans track
Extensive open Plains as far as the Eye can reach Westward
Mt Cornwallis
Mt Sinclair
Extensive open Country to the Westward
Mt Cotterell
Mt Robinson
Mt Vilumanata
Mt Cotterell
Mt Sams
Mt Wedge
Mt Bannister
Scale of Miles.
0 5 10 20
Western Port
Phillip Island
Fresh Water
Good Water
PORT PHILLIP
Arthurs seat
Good Water
Encampment
Fine rich rising Ground
Mt Eliza
Western Mount
This part of the Country is called Gerlamwarnine
Apparently Grassy Hills as seen from the Vessel
Nepean Point
Longitude (about) 144 Deg 37½ m. East of Greenwich
Latitude " 38° D^s 18 D^s South
BASS'
STRAITS
Entrance
Mt Hotmans track
Extensive open Plains
Line open Plains
Extensive open Plains
Creek
Thinly timbered Hills
Mt Hotmans track
Chain of Ponds
Galena Harbour
1st June 1835

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— Appendix, No. 1. —

CORRESPONDENCE between the COLONIAL OFFICE and the GOVERNORS of *New South Wales* and *Van Diemen's Land*, respecting the Settlement of *Port Philip* and *Twofold Bay*.

No. 1. Correspondence respecting Port Philip and Twofold Bay.

Van Diemen's Land, Government House,
4th July 1835.

Sir,

I HAVE the honour to enclose for your information the copy of a letter which I have received from Mr. John Batman, a settler in this colony, who has recently visited the opposite coast of New Holland, examined a portion of the country in the vicinity of Port Philip, and, on behalf of an association, of which, it appears, he is the agent, purchased 600,000 acres of land from one of the native tribes.

The settlement of this district would unquestionably be highly advantageous to Van Diemen's Land. Its extensive plains and rich pastures are capable of supporting large herds of cattle and sheep, and, as the distance between the two coasts might be traversed by a steam-boat in about 24 hours, it might very rapidly be covered with flocks and herds from this colony. Indeed, I have no doubt that the foundation would soon be laid for a very beneficial intercourse between the two countries.

It would afford me, therefore, great pleasure were the facilities, which might be afforded by this Government, rendered availing in the settlement of this very valuable territory, which might, I submit, with a view to economy, be placed temporarily under the jurisdiction of the supreme court of Van Diemen's Land.

As regards the request of the association that their feoffment in the land in question by the aborigines should be confirmed by the Crown, I am constrained, notwithstanding the great respectability of the gentlemen interested in the arrangement, to observe that it does not appear to me that it can be advocated on any valid grounds.

The land was taken possession of by Colonel Collins for the Crown, previous to the settlement of Van Diemen's Land; and, subsequently, by Captain Wright in 1826, when a military post was, for a period, established there: Messrs. Howell and Hume, moreover, of whose journey I have at present an imperfect account before me, explored the country in 1824 and 1825.

It appears, also, from a comparison of the descriptions given by Messrs. Howell and Hume, and Mr. Batman, that they had met with different tribes in the same district, who distinguish it by different names, a circumstance which would render the original ownership doubtful, even were it true in contemplation of law, that a migratory savage tribe, consisting of perhaps from 30 to 40 individuals, roaming over an almost unlimited extent of country, could acquire such a property in the soil as to be able to convey it so effectually as to confer upon the purchaser any right of possession which would be recognised in our courts of law.

In order, however, that the subject may be fully before His Majesty's Government, I have thought it proper to transmit a copy of the deed of transfer which was executed by the native chiefs.

Mr. Batman is an enterprising settler; he has acted with prudence as well as humanity in making it his first effort to conciliate the native tribe with whom he negotiated, and I trust that the good feeling which he appears to have established will be perpetuated. Were a liberal grant of land given him in the country he has explored, I think the gift would be well bestowed; but, as regards the confirmation of his treaty with the natives, I have plainly told him I could not hold out the slighest prospect of its being favourably considered, and the colonial secretary has addressed to him the letter, of which the accompanying document is a copy, in which you will perceive that I have refrained from encouraging the hope that the scheme of the association would be successful, so far, at least, as the investiture of the land is in question.

But as the company will probably proceed at once to take possession, and as other individuals may follow their example for the purpose of occupying the adjoining land on the sea coast, I cannot, I most respectfully submit, be made acquainted at too early a period with the views which His Majesty's Government entertain upon this very important subject.

I have the honour to be, &c.
George Arthur.

The Right Hon. T. Spring Rice,
&c. &c. &c.

No. 1.
Correspondence respecting Port Philip and Twofold Bay.

Sir, Hobart Town, 25 June 1835.

I HAVE the honour of reporting to your Excellency, for the information of His Majesty's Government, the result of an expedition undertaken by myself, at the expense and in conjunction with several gentlemen, inhabitants of Van Diemen's Land, to Port Philip on the south-western point of New Holland, for the purpose of forming an extensive pastoral establishment, and combining therewith the civilization of the native tribes who are living in that part of the country.

Before I enter into the details, I deem it necessary to state, for the information of His Majesty's Government, that I am a native of New South Wales, and that for the last six years I have been most actively employed in endeavouring to civilize the aboriginal natives of Van Diemen's Land; and in order to enable the local government of this colony to carry this important object into full effect, I procured from New South Wales 11 original natives of New Holland, who were, under my guidance, mainly instrumental in carrying into effect the humane objects of this government towards the aborigines of this island.

I also deem it necessary to state that I have been for many years impressed with the opinion that a most advantageous settlement might be formed at Western Port, or Port Philip, and that in 1827 Mr. J. T. Gellibrand and myself addressed a joint letter to the colonial government of New South Wales, soliciting permission to occupy land at Port Philip, with an undertaking to export to that place stock to the value of 5,000 *l.*, and which was to be placed for a certain number of years under my personal direction and superintendence.

This application was not granted by the Sydney government, because the land was beyond the limits of that territory, and the occupations of Western Port had been altogether abandoned.

It occurred to myself and some of the gentlemen who are associated with me, that inasmuch as the Sydney natives who were living with me had become well acquainted with the English language and manners, and had acquired habits of industry and agricultural pursuits, they might therefore be considered partially civilized; and as the available lands in this colony were occupied by flocks of sheep and fully stocked, it would be a favourable opportunity of opening a direct friendly intercourse with the tribes in the neighbourhood of Port Philip, and by obtaining from them a grant of a portion of that territory upon equitable principles, not only might the resources of this colony be considerably extended, but the object of civilization be established, and which in process of time would lead to the civilization of a large portion of the aborigines of that extensive country.

In pursuance of arrangements based upon these principles, I proceeded on the 12th May 1835 in a vessel from Launceston, accompanied by seven Sydney natives, and proceeded to Port Philip on the south-western extremity of New Holland, where I landed on the 26th of May.

On the evening of our arrival at Port Philip we saw the native fires at a distance of about five miles. I then made my arrangements for the purpose of opening an intercourse with the natives by means of those under my charge. I equipped them in their native dresses, and early in the morning we landed. I desired the natives to proceed unarmed, and they preceded me a few hundred yards. When we had advanced within half a mile, we saw the native huts and smoke. My natives then proceeded quietly up to the huts, expecting that we should find the tribe asleep, but when they had got to the huts it appeared that the natives had fled a few hours previously, leaving behind them some of their baskets and other articles.

I concluded from this that the natives had discerned the vessel and had quitted their huts through fear, and as I thought it probable they might in consequence quit the coast for a season, I determined immediately to put my natives upon the track, and, if possible, overtake them, and at once obtain their confidence.

My natives followed the track, which appeared to have been very circuitous, and after we had proceeded about 10 miles, we at length saw a tribe consisting of 20 women and 24 children.

My natives then made to them some of their friendly signals, which it appeared were understood, and in the course of a few minutes my natives joined the tribe, and after remaining with them, as I judged, sufficient length of time to conciliate them and explain my friendly disposition, I advanced alone and joined them, and was introduced to them by my natives, two of whom spoke nearly the same language, and so as to be perfectly intelligible to them.

The two interpreters explained to them, by my directions, that I had come in a vessel from the other shores; that I was, although a white, a countryman of theirs, and would protect them, and I wished them to return with me to their huts, where I had left some presents for them.

After some conversation the whole party, women and children, returned with me and my natives towards the huts, until they came within sight of the shore; they then stopped and hesitated in proceeding, and, as I understood from the interpreters, were afraid I should take them by force and ill-use them, as some of their tribe had been already.

After the strongest assurances on my part of my sincerity and friendly disposition, and that no harm should be done to them, they then proceeded to the huts, where I gave them a pair of blankets each, tomakawks, knives, scissors, looking-glasses, and I affixed round the neck of each woman and child a necklace,

As soon as I had distributed the presents, they were informed by the interpreters they might depart and join their friends, and I left them and proceeded on board the vessel; they

they appeared by my conduct towards them highly gratified and excited, and showed by their manners that the fullest confidence existed.

On the next and five following days I employed myself in surveying the country, and although I saw several native fires, I abstained from intruding upon them, leaving the interview I had had with the women to have its full effect upon the tribes before I visited them again.

On the seventh day I proceeded towards the place where I had seen the fires, and where I had reason to believe the tribes were, and I sent my natives forward with the same instructions as on the first occasion. We remained up the country all night, and proceeded early the next morning under the expectation of reaching the tribes.

After we had proceeded about seven miles we fell in with a native man, his wife and three children, who received my natives with apparent cordiality, and informed them that the women to whom I had given the presents, although belonging to another tribe, had communicated to them the reception they had met with from me.

I learned from this native where the chiefs of the tribes were stationed, and also their names, and this man most readily offered at once to act as our guide, and take us to the spot. We then proceeded with the man, his wife and children, towards the huts of the chiefs, but it appeared the guide took us past the spot where the chiefs were, and some of the children having observed a white man, gave the alarm, and almost immediately we found the tribe in our rear, advancing towards us with spears, and in a menacing position. My natives, with the man, woman and children, then called out to the tribe, and they immediately dropped their spears and other implements in the grass, and the two sable parties advanced towards each other, and I shortly followed them.

Some conversation then took place between my natives and the tribe; the object of my visit and intentions were then explained to them, and the chiefs then pressed me to proceed with them to see their wives and children, which is one of the strongest demonstrations of peace and confidence. Upon my assenting to this request, the chiefs then inquired of my interpreters whether I would allow them to take up their implements of war, which I immediately assented to, and the principal chief then gave me his best spear to carry, and I, in return, gave him my gun.

We then proceeded towards the huts, and when a short distance from them, the chief called out to the women not to be alarmed, and I was then introduced to the whole tribe, consisting of upwards of twenty men, containing altogether 55, men, women and children.

I joined this tribe about 12 o'clock, and staid with them until about 12 o'clock next day, during which time I fully explained to them, that the object of my visit was to purchase from them a tract of their country; that I intended to settle amongst them with my wife and seven daughters, and that I intended to bring to the country sheep and cattle. I also explained my wish to protect them in every way, to employ them the same as my own natives, and also to clothe and feed them; and I also proposed to pay them an annual tribute in necessaries, as a compensation for the enjoyment of the land. The chiefs appeared most fully to comprehend my proposals, and much delighted with the prospect of having me to live amongst them. I then explained to them the boundaries of the land which I wished to purchase, and which are defined by hills, to which they have affixed natives' names, and the limits of the land purchased by me are defined in the chart, which I have the honour of transmitting, taken from personal survey.

On the next day the chiefs proceeded with me to the boundaries, and they marked, with their own native marks, the trees which were at the corners of the boundaries, and they also gave me their own private mark, which is kept sacred by them, even so much so, that the women are not allowed to see it.

After the boundaries had been thus marked and described, I filled up, as accurately as I could define it, the land agreed to be purchased by me from the chiefs, and the deed when thus filled up, was most carefully read over and explained to them by the two interpreters, so that they most fully comprehended its purport and effect.

I then filled up two other parts of the deed, so as to make it in triplicate, and the three principal chiefs and five of the subordinate chiefs then executed each of the deeds, each part being separately read over, and they each delivered to me a piece of the soil, for the purpose of putting me in possession thereof, and understanding that it was a form by which they delivered to me the tract of land.

I have the honour of enclosing herewith a copy of each of the deeds executed by the natives to me, which I confidently trust will most clearly manifest that I have proceeded upon an equitable principle; that my object has not been possession and expulsion, or what is worse, extermination, but possession and civilization; and the reservation of the annual tribute to those who are the real owners of the soil, will afford evidence of the sincerity of my professions, in wishing to protect and civilize these tribes of benighted, but intelligent people; and I confidently trust that the British Government will duly appreciate the treaty which I have made with these tribes, and will not in any manner molest the arrangements I have made, but that I shall receive the support and encouragement, of not only the local government, but that of the British Government, in carrying the objects into effect.

I quitted Port Philip on the 14th day of June, having parted with the tribes in the most friendly and conciliatory manner, leaving five of my natives and three white men to commence a garden near the harbour, and to erect a house for my temporary occupation on my return with my wife and family.

I arrived at Launceston after a passage of 36 hours, which will at once show the geographical advantages of this territory to Van Diemen's Land, and in a few years, I have no

No. 1. Correspondence respecting Port Philip and Twofold Bay.

hesitation in affirming, from the nature of the soil, that the exports of wool and meat to Van Diemen's Land will form a considerable feature in its commercial relations.

I traversed the country in opposite directions about 50 miles, and having had much experience in lands and grazing in New South Wales, and in this colony, I have no hesitation in asserting that the general character of the country is decidedly superior to any which I have ever seen. It is interspersed with fine rivers and creeks, and the downs were extended on every side as far as the eye could reach, thickly covered with grass of the finest description, and containing an almost indescribable extent of fine land, fit for any purposes.

I have now finally to report that the following are the gentlemen who are associated with me in the colonization at Port Philip, many of whom will reside with their establishments at Port Philip, and all of whom are prepared, and intend immediately to export stock, which will be under my general guidance and immediate superintendence :— C. Swanston; T. Bannister; James Simpson; J. T. Gellibrand; J. and W. Robertson; Henry Arthur; H. Wedge; John Sinclair; J. T. Collicott; A. Cotterell; W. G. Sams; M. Conolly, and George Mercer.

The quantity of stock exported this year, will be at least 20,000 breeding ewes, and one of the leading stipulations will be, that none but married men of good character, with their families, will be sent, either as overseers or servants, so that by no possibility any personal injury shall be offered to the natives or their families; and it is also intended, for the purpose of preserving due order and morals, that a minister or catechist shall be attached to the establishment at the expense of the association.

The chiefs, to manifest their friendly feeling towards me, insisted upon my receiving from them two native cloaks and several baskets, made by the women, and also some of their implements of defence, which I beg to transmit. The women generally are clothed with cloaks of a description somewhat similar, and they certainly appear to me to be of a superior race to any natives which I have ever seen.

His Excellency Lieutenant-Governor Arthur, &c. &c. &c.

I have the honour to be, &c. &c.
(signed) *John Batman.*

Know all persons, that we, three brothers, Jagajaga, Jagajaga, Jagajaga, being the principal chiefs, and also Cooloolock, Bungarie, Yanyan, Moowhip, Mommarmalar, being the chiefs of a certain native tribe called Dutigallar, situate at and near Port Philip, called by us, the above-mentioned chiefs, Iransnoo and Geelong, being possessed of the tract of land hereinafter mentioned, for and in consideration of 20 pair blankets, 30 knives, 12 tomahawks, 10 looking-glasses, 12 pair scissors, 50 handkerchiefs, 12 red shirts, four flannel jackets, four suits of clothes, and 50 lbs. of flour, delivered to us by John Batman, residing in Van Diemen's Land, esquire, but at present sojourning with us and our tribe, do, for ourselves, our heirs and successors, give, grant, enfeoff and confirm unto the said John Batman, his heirs and assigns, all that tract of country situate and being in the bay of Port Philip, known by the name of Indented Head, but called by us Geelong, extending across from Geelong harbour, about due south, for 10 miles, more or less, to the head of Port Philip, taking in the whole neck or tract of land, and containing about 100,000 acres, as the same hath been before the execution of these presents delineated and marked out by us, according to the custom of our tribe, by certain marks made upon the trees growing along the boundaries of the said tract of land; to hold the said tract of land, with all advantages belonging thereto, unto and to the use of the said John Batman, his heirs and assigns for ever, to the intent that the said John Batman, his heirs and assigns, may occupy and possess the said tract of land, and place thereon sheep and cattle, yielding and delivering to us and our heirs or successors the yearly rent or tribute of 50 pair of blankets, 50 knives, 50 tomahawks, 50 pair scissors, 50 looking-glasses, 20 suits of slops or clothing, and two tons of flour. In witness whereof, we, Jagajaga, Jagajaga, Jagajaga, the three principal chiefs, and also Cooloolock, Bungarie, Yanyan, Moowhip, and Mommarmalar, the chiefs of the said tribe, have hereunto affixed our seals to these presents, and have signed the same. Dated according to the Christian era, this 6th day of June 1835.

Jagajaga, his × mark.
Jagajaga, his × mark.
Jagajaga, his × mark.
Cooloolock, his × mark.
Bungarie, his × mark.
Yanyan, his × mark.
Moowhip, his × mark.
Mommarmalar, his × mark.

Signed, sealed and delivered in the presence of us, the same having been fully and properly interpreted and explained to the said chiefs.

(signed) *James Gumm,*
Alexander Thomson,
Wm Todd.

(signed) *John Batman.*

Be it remembered, that on the day and year within written, possession and delivery of the tract of land within-mentioned, was made by the within named Jagajaga, Jagajaga, Jagajaga, Cooloolock, Bungarie, Yanyan, Moowhip, Mommarmalar, chiefs of the tribes of natives called Dutigallar Geelong, to the within-named John Batman, by the said chiefs taking

taking up part of the soil, and delivering the same to the said John Batman, in the name of the whole:

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Jagajaga,
Jagajaga,
Jagajaga,
Cooloolock,
Bungarie,
Yanyan,
Moowhip,
Mommarmalar.

In presence of

(signed) *James Gumm,*
Alexander Thomson,
Wm Todd.

KNOW all persons, that we, three brothers, Jagajaga, Jagajaga, Jagajaga, being the principal chiefs, and also Cooloolock, Bungarie, Yanyan, Moowhip and Mommarmalar, also being the chiefs of a certain native tribe called Dutigallar, situate at and near Port Philip, called by us the above-mentioned chiefs Tramoo, being possessed of the tract of land hereinafter-mentioned, for and in consideration of 20 pair blankets, 30 tomahawks, 100 knives, 50 pairs of scissors, 30 looking-glasses, 200 handkerchiefs, and 100 lbs. of flour, and six shirts, delivered to us by John Batman, residing in Van Diemen's Land, esquire, but at present sojourning with us and our tribe, do, for ourselves, our heirs and successors, give, grant, enfeoff and confirm unto the said John Batman, his heirs and assigns, all that tract of country situate and being at Port Philip, running from the branch of the river at the top of the port, about seven miles from the mouth of the river, 40 miles north-east, and from thence west 40 miles across Iramnoo downs or plains, and from thence south-south-west across Mount Vilnmarnatar to Geelong Harbour, at the head of the same, and containing about 500,000, more or less acres, as the same hath been before the execution of these presents delineated and marked out by us, according to the custom of our tribe, by certain marks made upon the trees growing along the boundaries of the said tract of land, to hold the said tract of land, with all advantages belonging thereto, unto and to the use of the said John Batman, his heirs and assigns for ever, to the intent that the said John Batman, his heirs and assigns, may occupy and possess the said tract of land, and place thereon sheep and cattle, yielding and delivering unto us, our heirs or successors, the yearly rent or tribute of 100 pair of blankets, 100 knives, 100 tomahawks, 50 suits of clothing, 50 looking-glasses, 50 pair scissors, and five tons of flour. In witness whereof, we, Jagajaga, Jagajaga, Jagajaga, the above-mentioned principal chiefs, and Cooloolock, Bungarie, Yanyan, Moowhip and Mommarmalar, the chiefs of the said tribe, have hereunto affixed our seals to these presents, and have signed the same. Dated according to the Christian era, this 6th day of June 1835.

Signed, sealed and delivered in the presence of us, the same having been fully and properly interpreted and explained to the said chiefs.

(signed) *James Gumm,*
Alexander Thomson,
Wm Todd.

Jagajaga, his × mark.
Jagajaga, his × mark.
Jagajaga, his × mark.
Cooloolock, his × mark.
Bungarie, his × mark.
Yanyan, his × mark.
Moowhip, his × mark.
Mommarmalar, his × mark.

Signed on the banks of Batman's creek, 6th June 1835.

John Batman.

BE it remembered, that on the day and year within written, possession and delivery of the tract of land within-mentioned was made by the within-named Jagajaga, Jagajaga, Jagajaga, principal chiefs, and Cooloolock, Bungarie, Yanyan, Moowhip, Mommarmalar, also chiefs of the tribe of natives called Dutigallar, to the within-named John Batman, by the said chiefs taking up part of the soil of the said tract of land, and delivering the same to the said John Batman, in the name of the whole:

Jagajaga, his × mark.
Jagajaga, his × mark.
Jagajaga, his × mark.
Cooloolock, his × mark.
Bungarie, his × mark.
Moowhip, his × mark.
Yanyan, his × mark.
Mommarmalar, his × mark.

In presence of

James Gumm,
Alexander Thomson,
Wm Todd.

Sir, Colonial Secretary's Office, 3 July 1835.

I AM directed to inform you that the Lieutenant-governor having perused with much interest the account contained in your report of the 25th ultimo, of your expedition to Port Philip, is highly gratified with the very favourable opinion you have been enabled to form of the fertility of the adjacent territory, thus confirming the various statements which have been made respecting it since the first occupation of that country in 1803 by Governor Collins, and more especially by Messrs. Hovell and Hume, and Captain Wright, whose reports have long since been in the possession of His Majesty's Government.

Though divided only by a few hours' sail from the most fertile portion of Van Diemen's Land, Port Philip is not within the jurisdiction of this government; his Excellency would, therefore, only observe, that the recognition of the rights supposed to have been acquired

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by the treaty into which you have entered with the natives would appear to be a departure from the principle upon which a Parliamentary sanction, without reference to the aborigines, has been given to the settlement of Southern Australia, as part of the possessions of the Crown.

The Lieutenant-governor will have great pleasure, however, in forwarding your report to His Majesty's Government, and in representing the enterprize manifested by yourself, the respectability of the parties interested in the undertaking, and the humane consideration which his Excellency is informed it is their intention to extend towards the aboriginal inhabitants of Iranmor, but which justice and humanity alike require as a preliminary in the occupation of any new country; but at the same time the Lieutenant-governor would remark, for the reasons he has assigned, that he considers it would not be prudent in the gentlemen associated with you to incur expense in any reliance upon a confirmation from the Crown of your title to the land under the agreement into which you have entered, an opinion which his Excellency cannot avoid expressing, although he is very sensible that the colonization of the country you have examined would, on account of its proximity, be highly conducive to the prosperity of Van Diemen's Land.

I am also to observe, that in reference to the application of Mr. Henty to be allowed, under certain conditions to locate a grant of land on the southern coast of New Holland, His Majesty's Government declined to accede to his proposal, conceiving that to have done so would be to deviate from the principles involved in the Act for the settlement of Southern Australia.

John Batman, Esq.
&c. &c.

I have, &c.
(signed) *John Montagu.*

EXTRACT of a DISPATCH from Lieutenant-governor *Arthur* to the Right Honourable Lord *Glenelg*, dated Van Diemen's Land, Government House, 28 August 1835.

Since I had the honour to address the Secretary of State on the 4th ultimo upon this subject, it has come out that the association have made some overtures to His Majesty's Government through their friends in England. The country they seek to possess is not within the territory of Van Diemen's Land, and I have therefore no right to complain of the course they have pursued; on the contrary, I beg to do them the justice to say that they are a very respectable, and in respect of pecuniary matters, responsible body; but at the same time, I cannot avoid expressing the hope that this fine tract of country may not be ceded to them to be converted into a sheep-walk and cattle-run by absentee proprietors.

I have not seen any copy of Sir Richard Bourke's commission, and therefore do not know whether Port Philip is included within his Excellency's jurisdiction; if it be, all that is proper will be, I am well persuaded, speedily done for asserting the rights of the Crown; but if the country be not within the boundaries of New South Wales, then I recommend that a military officer be sent from hence as a commandant, with a small detachment, and that a surveyor, a medical officer, and a missionary be employed under him, with a few convicts of long approved good character as mechanics and labourers, to form the settlement, to establish a friendly intercourse with the natives, and to duly control any "squatters;" that an accurate knowledge of the country may be gained, and all the necessary preliminaries adjusted for its occupation under such regulations as His Majesty's Government may deem most advisable; by this means, at a very trifling expense, which may be defrayed from our land revenue, the country may be occupied without those sad reverses which checked emigration to Swan River.

I have the honour to add, in conclusion, that I caused the colonial secretary to communicate with the corresponding department in New South Wales, on the subject of Mr. Batman's expedition, but that I have not as yet received any official reply.

Sir, Downing-street, 23 January 1836.

I have received your despatch, No. 53, of the 4th July last, on the subject of a negotiation which had been entered into by Mr. Batman, on behalf of an association of persons resident in Van Diemen's Land, for the acquisition from one of the native tribes of a large portion of land, consisting of 600,000 acres, in the vicinity of Port Philip, for the purpose of forming an agricultural establishment. Without entering at present into the question of the right possessed by the chiefs, who were the contracting parties, to the territory of which they agreed to dispose, or of the justice and fairness of the terms of the arrangement, I shall simply advert to the practical question at issue, namely, the expediency of confirming the grant to the association. All schemes for making settlements by private individuals or companies in the unlocated districts of Australia have of late years been discouraged by His Majesty's Government, as leading to fresh establishments, involving the mother country in an indefinite expense, and exposing both the natives and the new settlers to many dangers and calamities. And there is so much of prudence and of justice, and, I think I may add, of humanity, in this policy, that I do not feel disposed to depart from it in the present instance.

The conduct of Mr. Batman towards the natives has been such as to make me regret that I find it my duty not to advise His Majesty to sanction the proceedings of that gentleman and his associates.

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Your proposal of forming, under the auspices of your government, a settlement in the vicinity of Port Philip, and of placing it under the jurisdiction of the supreme court of Van Diemen's Land, requires and shall receive every consideration. At present I shall only observe, that it seems to me open to some very serious objections.

I am, &c.

Lieutenant-Governor Arthur,
&c. &c. &c.

(signed) *Glenelg.*

Government House, Sydney,
10 October 1835.

My Lord,

Being informed by the Lieutenant-governor of Van Diemen's Land, that several British subjects connected with that colony have taken possession of a tract of land on the south-western coast of New Holland, in virtue of a treaty with a tribe of aboriginal natives, it becomes my duty to report to your Lordship this intrusion upon part of the territory described in the commission which I have the honour to hold from His Majesty. The particulars are contained in the correspondence which has passed between Mr. Batman, a settler of Van Diemen's Land, and the government of that island. Copies of that correspondence received by me from Lieutenant-governor Arthur accompany this despatch. From Mr. Batman's letter your Lordship will perceive that this gentleman and his associates rest their claim to a recognition by His Majesty's Government of their treaty with the natives, rather on the merits of their undertaking than upon any title to the land which that treaty is presumed to convey. It also appears that Colonel Arthur, without holding out any prospect of such recognition, has undertaken to submit their case to His Majesty's Government, and entertains a favourable opinion of the parties. To him therefore, as the officer under whose immediate charge these parties reside, I would leave the representation of every particular regarding their personal character, views, and resources; but I have considered it incumbent on me immediately to protest against any consequences derogatory to the rights of the British Crown that might be imagined to flow from the alleged treaty. I have accordingly issued, with the advice of the executive council of this colony, a proclamation, of which I transmit a copy. It is not my present intention, and I shall probably not see cause, to take any other step in the matter, until I shall have the honour to receive your Lordship's commands on the subject. In the mean time there is little doubt that Mr. Batman and his party will continue to convey cattle to Port Philip, and to invest capital in building and other improvements at that place.

Having thus briefly laid before your Lordship the present state and probable progress of this unauthorized expedition, I may perhaps be permitted to offer some observations upon the policy of allowing the occupation of land so distant from the seat of government and other located parts of the colony. To Mr. Batman's proceeding there appear weighty objections, not only in the irregular mode he has had recourse to for obtaining land, but on account of the absence of any provision for the control and government of the inhabitants of the intended settlement. It is hopeless to expect that any precautions he can adopt in the choice of shepherds and labourers will preclude occasional disorders among a population wholly released from legal restraint. In such emergencies there will be no accessible authority, military or civil. The undertaking must sooner or later prove a total failure, unless supported by the interference and protection of Government. If this support be afforded, it is but reasonable that the settlement should contribute to the revenue of the government which upholds it, and that its lands should be acquired under the general regulations of the colony, or under such others as His Majesty's Government may think fit to impose.

I have before had occasion to submit to the Secretary of State the opinion I entertain of the propriety of extending in a southern direction the limits within which land may be acquired from the Crown in New South Wales. On this subject I beg leave to refer your Lordship to my despatch of the 4th July 1834, No. 59, in which I communicated a proposal of Mr. James Atkinson, for the settlement of Twofold Bay, by means of emigration from the north of Ireland. Though I objected to Mr. Atkinson's plan in many particulars, I expressed myself in favour of an extension of the limits of location as far as Twofold Bay, provided the lands were to be disposed of under the existing regulations. In this opinion, however, I was not honoured with the concurrence of your Lordship's predecessor. The Earl of Aberdeen has stated in his despatch of the 25th December last, that "His Majesty's Government are not prepared to authorize a measure, the consequences of which would be to spread over a still further extent of territory a population which it was the object of the late land regulations to concentrate."

After this intimation, it is only on account of the question being forced upon me by the transaction I have related, that I am induced to revert to the subject. In recurring to it, I am bound to state that further reflection, and the advantages of personal observation afforded by a recent excursion to Twofold Bay and the neighbouring country, have more strongly than ever impressed me with the correctness of the opinions expressed in my despatch of July 1834. On the excursion alluded to, I found the greater part of the vast tract of fertile land lying between the country of Saint Vincents and Twofold Bay, depastured by flocks and herds, attended by shepherds and stockmen; the pastures already contributing largely to the wealth of the colony, and exceeding in importance many of the districts where land is disposable by sale or on lease. An export of live stock from Twofold Bay to Van Diemen's Land had commenced, and is likely to increase, and a considerable supply of grain and other agricultural produce would in all probability be furnished from that district for the Sydney market, in the event of the land there being thrown open to

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purchase. Admitting, as every reasonable person must, that a certain degree of concentration is necessary for the advancement of wealth and civilization, and that it enables government to become at once efficient and economical, I cannot avoid perceiving the peculiarities which, in this colony, render it impolitic, and even impossible, to restrain dispersion within limits that would be expedient elsewhere. The wool of New South Wales forms at present, and is likely long to continue, its chief wealth. It is only by a free range over the wide expanse of native herbage which the colony affords that the production of this staple article can be upheld at its present rate of increase in quantity, or standard of value in quality.

The proprietors of thousands of acres already find it necessary, equally with the poorer settlers, to send large flocks beyond the present boundary of location, to preserve them in health throughout the year. The colonists must otherwise restrain the increase, or endeavour to raise artificial food for their stock. Whilst nature presents all around an unlimited supply of the most wholesome nutriment, either course would seem a perverse rejection of the bounty of Providence; and the latter would certainly require more labour than can be obtained in the colony, or immigration profitably supply. Independently of these powerful reasons for allowing dispersion, it is not to be disguised that the government is unable to prevent it. No adequate measures could be resorted to for the general and permanent removal of intruders from waste lands, without incurring probably a greater expense than would be sufficient to extend a large share of the control and protection of government over the country they desire to occupy. One principal objection to dispersion thus becomes as powerful against its restraint.

I do not, however, mean to admit the claim of every wanderer, in search of pasture, to the protection of a civil or military force. The question I would beg leave to submit is simply this: How may this government turn to the best advantage of the colony a state of things which it cannot wholly interdict? It may, I would suggest, be found practicable, by means of the sale of land in situations peculiarly advantageous, however distant from other locations, to procure the means of diminishing the evils of dispersion, and by establishing townships and ports, and facilitating the intercourse between the remote and more settled districts of this vast territory, to provide, though but imperfectly, centres of civilization and government, and thus gradually to extend the power of order and social union to the most distant parts of the wilderness.

Such are the considerations which rendered me unwilling to oppose the settlement of Twofold Bay. The same considerations induce me to believe that it will be more desirable to impose reasonable conditions on Mr. Batman and his associates, than to insist on their abandoning their undertaking. I would propose that a township be marked out, both at Twofold Bay, and in some eligible spot on the coast, to which Mr. Batman's party has proceeded. The town allotments and a portion of the adjoining territory might then be declared open to location, according to the existing regulations, and I have no doubt that in both places considerable purchases would at once be made. The proceeds might be at first excepted from the rule which assigns this branch of revenue as a fund for encouraging emigration, and applied in the beginning towards defraying the expenses attendant upon the new settlements. The outlay would chiefly be required for the survey and measurement of the land; the appointment of a police magistrate, with a constabulary force, and of an officer of customs. I would also earnestly recommend that a provision be made for schools, in which the children of persons of different religious tenets may be instructed, without distinction, on the plan now adopted in Ireland. The means of education being secured, I should feel disposed to leave it to the voluntary contribution of the inhabitants to provide for churches and clergy. To aid all alike where the creeds are various, seems impossible, and a partial distribution of the public funds appears nearly allied to injustice.

In the event of a township being established at Twofold Bay, it would be desirable to form a road from thence to Mināro Plains, a part of which would pass over a rocky range of mountain. The remoteness of this work would render it a very desirable employment for the convicts of the second class, sent here to labour for a certain period on the public works, before assignment to settlers.

I beg leave to observe here, that it is in consideration of the capital expended by Mr. Batman and his associates, that I am inclined to recommend so early an occupation of Port Philip. This measure would have otherwise appeared to me premature; and I should have preferred witnessing the success of the nearer establishment at Twofold Bay, before suggesting the more distant settlement. It is with reference to Van Diemen's Land chiefly that the occupation of the neighbourhood of Port Philip may be regarded as advantageous. I consider Twofold Bay to be ripe for settlement, as sufficient advantages are already derived from the lands behind it to admit of their purchase (by the occupiers and others) being rendered the means of the gradual introduction of the various institutions of society. To refrain from their introduction through the fear of encouraging dispersion, is, I am persuaded, a fallacious policy. The dispersion will go on, notwithstanding the discouragement, but accompanied by much evil, that might be prevented by the guidance and control of authority opportunely introduced. In conclusion, I beg leave to remark, that the unathorized occupation of land beyond the limits assigned by my predecessor for the location of settlers has been so long permitted, or, more properly speaking, connived at, and has extended over such large tracts of country, as to render it necessary that Government should not delay taking some measure for asserting the rights of the Crown over those lands. I propose, therefore, to let them to the present occupiers, being of good character, upon yearly leases,

at

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at a nominal rent, intimating to the lessees that they are not thereby to consider themselves entitled to any greater protection from Government than they have hitherto enjoyed.

I have, &c.
Richard Bourke.

The Right Hon. Lord Glenelg,
&c. &c. &c.

APPENDIX to Sir *Richard Bourke*'s DESPATCH, dated 10th October 1835, No. 99.

COPY of a LETTER from Messrs. *Gellibrand* and *Batman* to Lieutenant-general *Darling*, dated Launceston, 11 January 1827; and of Minute thereon.

Sir,

UNDERSTANDING that it is your Excellency's intention to establish a permanent settlement at Western Port, and to afford encouragement to respectable persons to settle there, we beg leave most respectfully to solicit at the hands of your Excellency a grant of land at that place, proportionable to the property which we intend to embark.

We are in possession of some flocks of sheep, highly improved, some of the merino breed, and others of the pure South Devon; of some pure Devon cattle, imported from England; and also of a fine breed of horses.

We propose to ship from this place 1,500 to 2,000 sheep, 30 head of superior cows, oxen, horses, &c. &c., to the value of from 4,000 *l.* to 5,000 *l.*, the whole to be under the personal direction of Mr. Batman, (who is a native of New South Wales), who will constantly reside there for the protection of the establishment.

Under these circumstances we are induced to hope your Excellency will be pleased to grant to us a tract of land proportionable to the sum of money we propose to expend, and also to afford us every encouragement in carrying the proposed object into effect.

We have, &c.
(signed) *J. T. Gellibrand,*
John Batman.

To his Excellency Lieutenant-general Darling,
&c. &c. &c.

COPY of General *Darling*'s MINUTE on the above.

ACKNOWLEDGE and inform them that no determination having been come to with respect to the settlement of Western Port, it is not in my power to comply with their request.

March 17th. (signed) *R. D.*

PROCLAMATION of His Excellency the Governor of New South Wales, dated 26th August 1835.

PROCLAMATION

By His Excellency Major-general Sir *Richard Bourke*, K.C.B. commanding His Majesty's Forces, Captain-general and Governor-in-chief of the Territory of New South Wales and its Dependencies and Vice-Admiral of the same, &c. &c. &c.

WHEREAS it hath been represented to me that divers of His Majesty's subjects have taken possession of lands of the Crown within the limits of this colony, under the pretence of a treaty, bargain or contract for the purchase thereof, with the aboriginal natives; now, therefore, I, the Governor, in virtue and in exercise of the power and authority in me vested, do hereby proclaim and notify to all His Majesty's subjects and others whom it may concern, that every such treaty, bargain and contract with the aboriginal natives as aforesaid, for the possession, title or claim to any lands lying and being within the limits of the government of the colony of New South Wales, as the same are laid down and defined by His Majesty's commission, that is to say, from the northern cape, or extremity of the coast, called Cape York, in the latitude of 10 degrees 37 minutes south, to the southern extremity of the said territory of New South Wales, or Wilson's Promontory, in the latitude of 39 degrees 12 minutes south, and embracing all the country inland to the westward, as far as the 129th degree of east longitude, reckoning from the meridian of Greenwich, including all the islands adjacent in the Pacific Ocean within the latitude aforesaid, and including also Norfolk Island, is void as against the rights of the Crown; and that all persons who shall be found in possession of any such lands as aforesaid, without the license or authority of His Majesty's Government for such purpose first had and obtained, will be considered as trespassers, and liable to be dealt with in like manner as other intruders upon the vacant lands of the Crown within the said colony.

Given under my hand and seal, at Government House, Sydney, this 26th day of August 1835.

(signed) *Richard Bourke.*

(By his Excellency's command.)
(signed) *Alexander M'Leay.*

God save the King!

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Sir, Downing-street, 13 April 1836.

I HAVE received your despatch, dated the 10th of October last, No. 99, reporting the proceedings of Mr. Batman and others of Port Philip and Twofold Bay, and suggesting the measures which ought to be adopted to meet this new exigency in the affairs of your government.

I approve of the course which you have hitherto pursued on this subject, and especially of your proclamation, maintaining the right of the Crown to the soil on which these new settlements have been effected. Although many circumstances have contributed to render me anxious that the aborigines should be placed under a zealous and effective protection, and that their rights should be studiously defended, I yet believe that we should consult very ill for the real welfare of that helpless and unfortunate race, by recognising in them any right to alienate to private adventurers the land of the colony. It it is indeed enough to observe, that such a concession would subvert the foundation on which all proprietary rights in New South Wales at present rest, and defeat a large part of the most important regulations of the local government.

It is altogether superfluous to enter on the present occasion into any discussion or formal statement of the principles which form the basis of the rules, according to which land is disposed of in the Australian colonies. The views of the Earl of Ripon have been adopted and enforced by every one of his successors. The object of Lord Ripon's rules was to counteract the tendency of settlers in a new country to disperse themselves as detached families over its surface, and to promote the co-operation of the inhabitants in all works of public utility, and in the employment of labour and capital. But to suppose that Lord Ripon could have contemplated the concentration of the people as the ultimate end to be aimed at, or that he regarded it in any other light than as the means through which other great social purposes were to be attained, would indeed be entirely to misapprehend his policy. He deprecated dispersion, in so far as it might interfere with the advancement of the colony in wealth and other social advantages, and with the maintenance of those religious and scholastic establishments to which he was so justly attached. But he would no less have deprecated concentration at the expense of any of those objects.

If, however, my information be accurate, the eastern shores of New Holland, at least on the southern half of that great region, so far as they have hitherto been explored, whether coast-wise or inland, present a physical impediment to the close concentration of the inhabitants, with which it would be only futile to contend by human laws. The age of manufacturing industry is of course remote. Even tillage can scarcely be pursued advantageously to any great extent, while the whole surface of the country exhibits a range of sheep-walks which, though not naturally fertile, are yet, when occupied in large masses, of almost unrivalled value, for the production of the finest description of wool. New South Wales is therefore not only marked by nature for a pastoral country, but for a country of which the pasturage must, from the quality of the soil, inevitably separate the shepherds and herdsmen, and all their associates in labour, very widely from the general seat of government and from each other. The principle of counteracting dispersion when reduced to practice, must unavoidably be narrowed within the limits which these physical peculiarities of the colony dictate and require.

But that principle must also bend to a necessity of a different kind. It is wholly vain to expect that any positive laws, especially those of a very young and thinly-peopled country, will be energetic enough to repress the spirit of adventure and speculation in which the unauthorized settlements at Port Philip and Twofold Bay have originated. The motives which are urging mankind, especially in these days of general peace and increasing population, to break through the restraints which would forbid their settling themselves and their families in such situations, are too strong to be encountered with effect by ordinary means. To engage in such a struggle would be wholly irrational. All that remains for the government in such circumstances, is to assume the guidance and direction of enterprizes, which, though it cannot prevent or retard, it may yet conduct to happy results.

It may indeed admit of serious doubt whether the settlers at Port Philip and Twofold Bay have not in reality given birth to undertakings which deliberate reflection would have recommended rather than discouraged. Each of those places will probably, at a time more or less distant, form the nucleus of a new and flourishing settlement, interchanging with the districts at present occupied in the vicinity of Sydney many articles of internal commerce, and contributing to expedite the general occupation, by the people of this kingdom or their descendants, of those vast territories in which our national wealth and industry have already, in the last half century, converted an unproductive waste into two great and flourishing provinces. In producing and multiplying such results as these it has, I believe, always occurred, and is perhaps inevitable, that the sanguine ardour of private speculation should quicken and anticipate the more cautious movements of the Government.

I have entered on these general remarks, not as supposing that they could convey to you any new information or suggestions, but from my solicitude to show that in yielding to the unforeseen exigency which has arisen, His Majesty's Government are not forgetful of or departing from those important principles of colonization which Lord Ripon so earnestly inculcated. In truth I know not how, under the new circumstances of the case, effect could be given to those principles, unless the local government should, as you propose, place itself at the head of the undertakings in which the unauthorized settlers have engaged.

The settlement at Port Philip will probably be reinforced by a large number of emigrants, and a considerable introduction of capital from Scotland. I enclose, for your information, copies of the correspondence in which I have already been engaged with some gentlemen

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gentlemen on that subject. You will perceive that I had to a considerable extent anticipated your own views.

Respecting the arrangements to be made for settling a form of government at Port Philip and Twofold Bay, I advance no further than to express my general concurrence in your views, and to sanction your acting on them in the manner which you propose. I feel that writing at this distance, on a subject so novel and peculiar, I should rather encumber than assist you by attempting to enter with more minuteness into the details of your plan.

I have, &c.,

Major-General Sir Rd. Bourke, &c. &c. &c. (signed) *Glenelg.*

My Lord, Dryden House, by Edinburgh, 26 January 1836.

In the capacity of shareholder and as agent for the Geelong and Dutigalla Association, I have the honour to lay before your Lordship, for the favourable consideration of his Majesty's ministers, the accompanying documents.*

The object of the association is to obtain, in the exercise of the royal prerogative, a recognition and confirmation by the Crown of the treaties executed by the aboriginal chiefs, occupants of the soil, or should His Majesty's ministers see any legal objection to this recognition and confirmation, of which I am not at present aware, a royal grant of the territories as feudatories of the British Crown.

In addressing your Lordship on a subject not less important, I conceive, to the British empire than to the associated body, I would beg permission to offer to the consideration of His Majesty's advisers, the many and great advantages proximately springing from the relief afforded by the emigration of settlers without charge to the State, and prospectively in the formation of a nucleus for a free and useful colony, founded upon principles of conciliation and civilization, of philanthropy, morality and temperance, without danger of its ever becoming onerous to the mother country, and calculated to ensure the well-being and comfort of the natives, the proposed system instructing and protecting, not exterminating them.

Should His Majesty's ministers see legal objections to the recognition and confirmation of the native treaties, I would presume to suggest that a Crown grant of this territory be issued in the names of John Batman and Charles Swanston, Esqrs., those gentlemen having executed regular deeds binding themselves to act generally for the members of the association.

I may state for your Lordship's information, that a catechist is, I have reason to believe, even now exercising his functions there, and I trust instructing the benighted aborigines through the medium of Mr. Batman's native servants as interpreters; and, that a medical man is, ere this, giving his aid on the spot.

In conclusion, I may be allowed to observe that no person save Mr. Batman could have accomplished this great object, and that the association feel satisfied, if disturbed in the enjoyment of the lands ceded by the tribes under treaties, tabooed with the sacred symbols of their chiefs, which cannot and will not ever on their parts be broken; that if such obstruction, involving a failure on the part of the white man, occur, reliance on him will be at an end, and the country, if ever, occupied hereafter by the extermination of the aboriginal proprietors alone.

Under such circumstances, I trust I may, without presumption, flatter myself that His Majesty's ministers will be glad to find it consistent with their duty to the Crown and the country to sanction and foster a colony founded upon principles of humanity and civilization, and opening a new field for emigration and British industry.

A notice of this letter at as early a period as may be compatible with your Lordship's other important avocations would be highly acceptable, as I am instructed eventually to forward settlers to Port Philip.

I have, &c.

To the Right Hon. Lord Glenelg, Principal Secretary of State, Colonial Department. (signed) *George Mercer.*

Sir, Downing-street, 15 February 1836.

I AM directed by Lord Glenelg to acknowledge the receipt of your letter of the 26th ult., with its various enclosures, soliciting, as agent for an association formed in Van Diemen's Land, a recognition and confirmation, on the part of the Crown, of an arrangement entered into by certain members of that association with some native chiefs, for the acquisition of a large portion of land situated at Port Philip, in New South Wales, for the purpose of forming

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* 1 and 2. Copies of Mr. Batman's narrative of excursion to and proceedings at Port Philip, transmitted to Lieutenant-governor Arthur, and his Excellency's reply thereto.

3 and 4. The originals of two treaties (executed in triplicate) entered into with the aboriginal chiefs, possessors of the territory in the neighbourhood of Port Philip; also copies of the same.

5. A map of the territories ceded by the head men of the Dutigalla tribe.

6. An address to the right honourable the Colonial Secretary by the members of the association.

7. Copy of conveyance, by John Batman, to Charles Swanston and others.

8. Copy of indentures defining the objects of the parties, dated 29 June 1835.

9. The settlement in question not within the limits of South Australia, as described in the Act 4 & 5 Will. 4, c. 95.

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forming a settlement; and you further request, that if His Majesty's Government should see any legal objection to this recognition and confirmation, a royal grant of the territories may be made to the association as feudatories of the Crown.

In reply, Lord Glenelg directs me to acquaint you, that the territory on which it is proposed to form the settlement in question is a part of the colony of New South Wales, being comprised within the limits laid down in the commission of Governor Sir R. Bourke; and consequently, that it is impossible for His Majesty's Government to acknowledge any title to lands acquired there, except upon the terms prescribed in that commission and the accompanying instructions.

I am, &c.

George Mercer, Esq. (signed) *George Grey.*

My Lord, Dryden House, Edinburgh, 16 March 1836.

I HAVE had the honour to receive your Lordship's letter of 15th February, in reply to my address under date 26 January 1836, intimating that His Majesty's Government cannot acknowledge any title to lands acquired by the Port Philip Association, except upon the terms prescribed in the commission and accompanying instructions issued to Governor Sir Richard Bourke, the lands in question constituting a part of the colony of New South Wales.

Sir Richard Bourke's commission and instructions have reference, I presume, alone to a penal colony; and moreover, it may not be impossible that the said commission and instructions were drawn at a time when the British Government deemed it expedient to meet and counteract a disposition evinced by the Government of France to form a colony on that part of Australia; consequently, the territory of New South Wales might have been extended far beyond the limits adapted to a penal colony.

Port Philip is about 600 miles from Sydney, and 400 from the nearest lands of that colony yet occupied by British subjects, with the sanction of Government, and will not, therefore, under the slow and regular march of population, be located as a penal colony until some very distant period.

I have been given to understand, that it is not the intention of His Majesty's Government to extend or increase penal colonies; and the same power that joined Port Philip to, can, I conclude, with equal facility and propriety, dissever it from New South Wales, greatly, I conceive, to the advantage of the mother country.

These lands, unless formed into a free colony, must, I am humbly of opinion, lie dormant, or be grazed by squatters only, for a century to come; whereas, if now granted by the Crown to the Geelong and Dutigalla Association upon equitable terms, they will be speedily rendered a valuable acquisition to the state.

I may be permitted to observe, that the purchase of the tract of land ceded by the native chiefs to the association upon the terms prescribed in the commission and instructions to Governor Sir Richard Bourke, is out of all question, unless the advantages of a full portion of convict labour were accorded, as well to the body purchasing, as for public purposes of general improvement, making roads, bridges, &c.; thus involving the necessity of an expensive Government establishment, civil and military, for the improvement of the colony, for the control of the prisoners, and for the protection of the settlers; in fact, planting another penal colony, with all its concomitant charges to the parent state.

The association profess their wish to be a free colony, without pecuniary sacrifice to the mother country: at the same time, every member of it is aware of the absolute necessity of the presence of British local authorities, to see that due protection be extended to all, and that justice be done to the aborigines, whose welfare and general improvement the association takes a pride in declaring to be one of its great objects, as evinced by the tribute paid to, and arrangements made with the natives.

It is unnecessary for me to call your Lordship's attention to the fatal consequences at Hunter's River (about 100 miles only from the capital) of the absence of such amicable arrangements, and the presence of runaway convicts; these combined causes operating destruction and murders in every direction: yet I may take the liberty, as pertinent to the subject, and not perhaps so well known to your Lordship, to advert to the many acts of aggression committed by the whalers and others at Portland Bay, where a tract of country has lately been granted by the home Government, formerly refused to an application made by memorial through Colonel Arthur, (please see ultimate paragraph of Mr. Colonial Secretary Montagu's reply of 3 July 1835 to Mr. Batman); this tract having been occupied without previous friendly intercourse with the natives, and being beyond the operation of any present law; consequently, without local government or authorities.

Assuming it, as I humbly do, to be the bounden duty of both Government and the soliciting grantees to extend to these benighted people a full measure of kindness and protection, and, if possible, the blessings of Christianity, in lieu of advantages to be derived from the possession of the soil by the British Empire and the association, I would presume to suggest to your Lordship, that a Crown grant be given, at a moderate quit-rent, sufficient for the support of a small, but, for the present, adequate establishment, appointed by the Crown, to superintend and protect all parties in and connected with a new free colony. This acceded to by Government, the matter would resolve into a question of amount.

Although, as occupants in a free colony, the association would labour under many and great pecuniary and other disadvantages, comparatively with those located in a penal settlement,

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ment, yet the body for whom I act would not, I have reason to believe, object to the Van Diemen's Land Company being taken as an archetype to found upon; and this being acceded to by your Lordship, the following statement would be the result. I may be permitted to premise, that that Company selected 250,000 acres of available land in six different and distant localities, being allowed 110,000 acres more, supposed useless land, and not valued to them, and that they do or may have the full amount of their quit-rent, or even much more, returned to them through the means of convict labour, unknown in a free colony.

The Van Diemen's Land Company have 360,000 acres, 250,000 of land fit for tillage and pasturage, at 2 *s.* 6 *d.*, equal to 31,250 *l.*; quit-rent, 1 ½ per cent., equal to 468 *l.* 15 *s.*, redeemable at 20 years' purchase, or 9,375 *l.* sterling, quit-rent not payable until the expiration of five years from the date of the grant or charter. This latter stipulation the association, deeming an immediate superintendence by a government commissioner and officers, for the due protection of all parties, of the utmost importance, would dispense with, and willingly commence payment at the expiration of six months from the arrival of such commissioner and authorities on the spot, always looking for a local expenditure of the quit-rent for the benefit of the colony. Based on this principle, and reckoning 500,000 acres in the tract ceded in June last by the chiefs to the association, the quit-rent would amount to 937 *l.* 10 *s.*; but as this might not be deemed a sufficient sum for the proposed establishment, were the tract to the east of the ceded territories to be included in the grant or charter, as delineated on the accompanying map by lines from C, 35 miles due south, to E, and from E, 32 miles about south-west, to D, at Good Water Creek, on Port Philip, the whole estimated to contain, on a liberal scale, 750,000 acres of land fit for tillage and pasturage, which can scarcely be expected, the territory lying in one continuous tract, the association would thus be placed on such grounds as to justify a payment of 1,406 *l.* 5 *s.* per annum quit-rent, equal to the support of adequate public authorities, until the colony become, by population and trade, of importance sufficient to require a larger establishment, to be supported by a regular system of light duties on all imports, except those of British manufacture. Taking this view of the matter, the association would become liable for an annual payment, as follows:

	£.	s.	d.
Tribute for present tract ceded	200	–	–
Ditto, proposed extended tract, say	120	–	–
TOTAL tribute to native chiefs £.	320	–	–
Quit-rent to the British Government	1,406	5	–
Salary to Dr. Thompson, now acting in the combined capacities of catechist and surgeon, on an allowance of	180	–	–
£.	1,906	5	–

The associated body would naturally expect to be relieved from the burden of Dr. Thompson's salary, who would become a Government officer on the establishment, when payment of quit-rent commenced.

Your Lordship will not fail to have observed the result of a late expedition sent to follow up Captain Sturt's discoveries, behind Lake Alexandrina, which had returned, having suffered loss in skirmish with the natives, a circumstance that could not have occurred had an amicable intercourse with these unhappy beings been previously, as in in our case, established; but instances of this description are too numerous to trouble your Lordship with.

In conclusion, I may be permitted to observe, that independently of British interests, on the score of humanity alone I humbly conceive it to behove His Majesty's Ministers to take this subject into their most serious consideration, and with as little delay as possible to plant British authorities at Port Philip for the prevention of exterminating conflicts, which will, I fear, inevitably ensue, as some squatters have possessed themselves of lands in the neighbourhood, without any previous arrangement with the natives, and also to give legitimate protection to flocks of great value (20,000 *l.* to 30,000 *l.*) belonging to the association now grazing in the ceded tract.

I leave this on the 19th instant for London, and will be prepared to wait upon your Lordship whenever it may suit you to honour me with an audience. Any commands which may be transmitted under cover to Messrs. Spottiswoode & Robertson will reach me and be promptly attended to.

I have, &c.
(signed) *George Mercer.*

The Right Hon. Lord Glenelg,
Principal Secretary of State, Colonial Department.

INDENTURE of Service between *John Batman*, Esq. and

THIS Indenture, made the day of 18 , between John Batman, of Benlomond, in Van Diemen's Land, esq. of the one part; and , of the other part. Whereas the said John Batman is possessed of a considerable tract of land, situate at Port Philip, on the south-western coast of New Holland, and the said John Batman intends forthwith to ship, and also to take under his management at

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at Port Philip, an extensive flock of sheep, and also a herd of cattle for pastoral and other purposes: And whereas the said hath applied to the said John Batman to hire and engage him as a farming servant, to proceed to Port Philip under the management and direction of the said John Batman, for the space of 12 months, under and subject to the conditions and stipulations hereinafter mentioned, and to which proposal the said John Batman hath consented and agreed. Now, this Indenture witnesseth, and the said John Batman and do hereby severally covenant, declare and agree to and with the other of them, his executors and administrators, in the manner following; (that is to say) that the said shall and will well, faithfully, honestly and justly serve him, the said John Batman, as his servant, for the period of 12 months, to commence on the day of next ensuing.

That the said shall on the said day of be ready at George Town, to receive and take charge of any sheep, cattle or other stock which the said John Batman may have to place under his care, and that he shall, to the utmost of his power, assist in the shipment of the same, and also in the feeding and management on board ship, and until delivered at Port Philip.

That upon such delivery at Port Philip the said shall thereupon proceed to such part of the land occupied by the said John Batman as the said John Batman shall direct and appoint, and that he shall also well and faithfully take charge of or assist in the charge of such flocks or herds as the said John Batman shall direct, and do such other acts or business as the said John Batman may reasonably require.

That the said nor his wife, nor any of his children, shall at any time offer any violence or injury to any of the aborigines of the said land, or any of them, except only in actual defence of his or their lives or properties; but that the said shall use his utmost endeavours to conciliate the natives.

That in case the said or his wife, or children, or any of them, shall offer any improper or unnecessary violence to the said natives, or if the said shall refuse or neglect to perform or obey the lawful commands of the said John Batman, or any overseer placed over the said , it shall be lawful for the said John Batman, by the first opportunity, to remove the said and his family from the settlement at Port Philip, and to tranship him and them to George Town; and that the said John Batman shall be authorized to give in evidence these presents as a sufficient authority for such removal.

That the said John Batman shall and will find and provide the said with the following rations during his performance of the aforesaid conditions; (that is to say),

That upon the due performance by the said of the aforesaid conditions and stipulations, and every of them, for the full period of 12 months, to be computed as aforesaid, the said John Batman shall and will pay to the said the sum of of lawful money of Great Britain, for his services, such sum to be paid by an order to be drawn by the said John Batman upon, and to be paid by , of , esquire; but it is expressly declared and agreed that the said shall not be entitled to any wages, unless the whole period of 12 months is well and faithfully performed according to the aforesaid conditions, and every of them.

That the said John Batman shall be at liberty to deduct from such wages all supplies furnished to the said , over and above the rations hereinbefore mentioned.—In witness

Signed, sealed, and delivered.

Sir, Downing-street, 30 March 1836.

I AM directed by Lord Glenelg to acknowledge the receipt of your letter of the 16th instant, in which you state the terms on which the association, on whose behalf you write, are desirous of obtaining land in the vicinity of Port Philip, New South Wales.

Lord Glenelg directs me to acquaint you, in reply, that it is his intention to instruct the Governor of New South Wales to appoint magistrates, and any other indispensable officers, for the government of the settlement which has been formed in the quarter referred to, and to put up the lands for sale there at such a reduced upset price as upon full consideration of the state of the infant settlement he may think reasonable.

But his Lordship directs me to add, that the plan of disposing of public lands at a quit-rent has been generally abandoned on the most ample experience of the many and insuperable difficulties with which it is attended.

I am, &c.

George Mercer, Esq. (signed) *George Grey.*

— Appendix, No. 2. —

No. 2.
Tables, &c. relative to Emigration.

TABLES, &c., RELATIVE TO EMIGRATION.

THE following Tables have been calculated, in order to compare the number of persons living at the end of 25 years, produced from an original population of 2,000 select lives of the age of 21, with that produced from an equal number of lives of various ages.

With a view to show the advantage of encouraging the class of select lives to emigrate to a distant colony, say Australia, as well as to show the comparative number of which the mother

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Tables, &c. relative to Emigration.

mother country would be deprived by taking away either class, two sets of Tables have been formed, one in which the 2,000 persons are supposed to remain in England, and the other in which they are supposed to proceed to and remain in Australia.

The class of select lives has been continued to a second period of 25 years, taking the survivors of the first period, and proceeding as in the formation of the other Tables. A want of time prevented the same being done with the other class.

In order to facilitate the calculations, it became necessary to assume certain data, of which the following are the principal:

1. That the select lives are all of the age of 21, of equal numbers, male and female, and married.

2. That of those who die annually, the number of each sex is equal, and that the widows and widowers again marry.

3. That the average number of births to a marriage, the parents being 21 years old, is, in England, five; and in Australia, seven; those numbers diminishing according to the ages of the parents.

4. That all those marry who attain the age of 21.

5. That the first child of each marriage is born at the end of the first year, and the succeeding ones at an interval of two or three years.

6. In the class of various ages, instead of taking a number at every age, which would have added considerably to the labour, without a corresponding advantage, the numbers have been taken at intervals of five years, from the age of five to 60, inclusive, due regard being had to the proportion of the population at the various ages.

7. The law of mortality assumed throughout is that of the Carlisle Tables.

These data are of course more or less remote from the truth; but as all the Tables have been calculated in the same manner, they may be fairly compared with each other. Should it be thought advisable to substitute other data, Tables may readily be calculated accordingly.

The numbers alive at the end of each period of 25 years may be considered tolerably correct, as well as those above or below any given age; but from the circumstance of supposing all the births of any year to have taken place at the same time, it follows that the number at one age is often greater or less than it ought to be.

W. Lewis,
25 July 1836. Actuary to the Family Endowment Society.

Respecting the Formation of the Tables.

TABLE (A).

This Table is formed by taking 1,000 males and 1,000 females, of various ages, from 5 to 60, in the following proportions; viz.

Age.	No.	Age.	No.
5	70	35	200
10	200	40	120
15	250	45	70
20	300	50	40
25	400	55	30
30	300	60	20

Those at the age of 21, and upwards, are supposed to be married; the others, and the children of all, marry when 21 years old. The number of births to each marriage is estimated at five when the ages are 21, diminishing gradually to the age of 45, at which period it is supposed none are born. At the end of 25 years, it appears by the Table, that there would be living 4,295 persons, of various ages, being the produce of the above 2,000.

TABLE (B).

This Table is formed in the same manner, and with the same original population of 2,000, as Table (A). They are supposed, however, to emigrate to Australia, where, from the nature of the climate, &c., the average number of children to a marriage, (the parties being 21 years old), is estimated at seven. The numbers living at the end of 25 years are found to be 5,455 of various ages.

In comparing Table (A) and Table (B), it will be found that of those under 15 years of age, and of those above, the proportions are as follow:

	Table (A).	Table (B).
Under 15 years - - -	1,127	1,971
Above 15 years - - -	3,168	3,484

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Table (C).

This Table is formed in the same manner as Table (A). The only difference is in taking the 2,000 persons all of the age of 21, instead of various ages. The result, at the end of 25 years, is found to be 5,336 persons living of various ages.

Table (D).

This Table is formed in the same manner as Table (B). The only difference is in taking the 2,000 persons all of the age of 21, instead of various ages. The result, at the end of 25 years, is found to be 6,904 persons living of various ages.

On comparing Table (C) with Table (D), it will be found that of those under 15 years of age, and of those above, the proportions are as follow:

	Table (C).	Table (D).
Under 15 years of age - -	1,424	2,420
Above 15 years - - -	3,852	4,484

Table (E).

This Table is an extension of Table (C). According to that Table there were living at the end of 25 years 5,336 persons of various ages. The present Table is formed by taking that number, and ascertaining what the population would amount to in 25 years. The same method in every respect is pursued as in Table C., and is found that after a second period of 25 years, there would be living 9,305 persons of various ages, the produce of the original 2,000 persons.

Table (F).

This Table is an extension of Table (D). According to that Table there were living at the end of 25 years 6,904 persons of various ages. The present Table is formed by taking that number, and ascertaining what the population would amount to in 25 years. The same method, in every respect, is pursued as in Table (D), and it is found that after a second period of 25 years there would be living 15,799 persons of various ages, the produce of the original 2,000 persons.

On comparing Table (E) with Table (F), it will be found that of those under 15 years of age, and of those above, the proportions are as follow:

	Table (E).	Table (F).
Under 15 years of age - -	2,729	6,992
Above 15 years - - -	6,576	8,807

It may be here observed, that the number of young persons in Table (F) is much greater in proportion than in Table (E).

ENGLAND.—Table (A.)

STATEMENT of the Number and Ages of Persons living at the end of 25 Years, being the Produce of 2,000 Persons, from the Age of Five Years to 60 Years, supposing them to marry when they attain the Age of 21.

Ages.	Number Living at the End of 25 Years.	Ages.	Number Living at the End of 25 Years.	Ages.	Number Living at the End of 25 Years.
0	116	13	94	34	168
1	206	14	74	39	204
2	75	15	123	44	236
3	96	16	166	49	303
4	19	17	88	54	220
5	58	18	281	59	140
6	19	19	89	64	74
7	71	20	261	69	37
8	20	21	90	74	16
9	57	22	262	79	7
10	73	23	88	84	3
11	62	24	258		
12	87	29	54		4,295

AUSTRALIA.—Table (B.)

STATEMENT of the Numbers and Ages of Persons living at the end of 25 Years, being the Produce of 2,000 Persons of various Ages, from Five to Sixty.

Ages.	Number Living at the End of 25 Years.	Ages.	Number Living at the End of 25 Years.	Ages.	Number Living at the End of 25 Years.
0	171	13	172	34	168
1	277	14	176	39	204
2	122	15	87	44	236
3	119	16	327	49	303
4	95	17	88	54	220
5	58	18	340	59	140
6	58	19	89	64	74
7	130	20	294	69	37
8	20	21	89	74	16
9	142	22	298	79	7
10	181	23	121	84	3
11	92	24	289		
12	158	29	54		5,455

ENGLAND.—Table (C.)

STATEMENT of the Numbers and Ages of Persons living at the end of 25 Years, being the Produce of a Select Number of 1,000 Males and 1,000 Females, married, and of the Age of 21: supposing the average Number of Children born of each Marriage to be Five, and that these marry at the Age of 21, &c.

Ages.	Number Living at the End of 25 Years.
1	496
3	216
11	133
14	579
17	586
20	588
22	588
24	588
45	1,562
	5,336

AUSTRALIA.—Table (D.)

STATEMENT of the Numbers and Ages of Persons living at the end of 25 Years, being the Produce of a Select Number of 1,000 Males and 1,000 Females, married, and of the Age of 21: supposing the average Number of Children born of each Marriage to be Seven, and that these marry at the Age of 21.

Ages.	Number Living at the End of 25 Years.
1	510
3	217
6	560
9	561
12	572
15	572
18	586
20	588
22	588
24	588
45	1,562
	6,904

No. 2.
Tables, &c. relative to Emigration.

ENGLAND.

TABLE (E.)

STATEMENT of the NUMBERS and AGES of PERSONS living at the end of 50 Years, out of an ORIGINAL POPULATION of 1,000 Males and 1,000 Females of the Age of 21, and married.

Ages.	Number living.	Ages.	Number living.	Ages.	Number living.
0 - -	425	14 - -	376	35 - -	110
1 - -	288	15 - -	452	38 - -	474
2 - -	278	16 - -	172	41 - -	472
3 - -	126	17 - -	340	44 - -	463
4 - -	223	18 - -	512	46 - -	456
5 - -	39	19 - -	171	48 - -	449
6 - -	59	20 - -	514	70 - -	793
8 - -	239	21 - -	172		
10 - -	39	22 - -	342		9,305
11 - -	381	23 - -	172		
12 - -	87	24 - -	340		
13 - -	169	27 - -	172		

AUSTRALIA.

TABLE (F.)

STATEMENT of the NUMBERS and AGES of PERSONS living at the end of 50 Years, the produce of an ORIGINAL POPULATION of 1,000 Males and 1,000 Females of the Age of 21, and married.

Ages.	Number living.	Ages.	Number living.	Ages.	Number living.
0 - -	510	13 - -	673	27 - -	164
1 - -	937	14 - -	167	30 - -	472
2 - -	268	15 - -	512	33 - -	476
3 - -	301	16 - -	513	36 - -	470
4 - -	767	17 - -	343	39 - -	468
5 - -	166	18 - -	513	42 - -	468
6 - -	304	19 - -	344	44 - -	463
7 - -	773	20 - -	346	46 - -	456
8 - -	164	21 - -	345	48 - -	449
9 - -	494	22 - -	346	70 - -	793
10 - -	801	23 - -	173		
11 - -	167	24 - -	345		15,799
12 - -	500	25 - -	348		

— Appendix, No. 3. —

No. 3.
Correspondence between Sir G. Grey and Colonization Commissioners.

CORRESPONDENCE between Sir *George Grey* and the *South Australian Colonization Commissioners.*

LETTER from Sir *George Grey* to Colonel *Torrens.*

Sir, Downing-street, 11 January 1836.

I AM directed by Lord Glenelg to acknowledge the receipt of your letter of the 7th inst., inclosing a plan prepared by the Commissioners for the sale of lands in South Australia, of which the object is to protect the rights of the aboriginal inhabitants of that country.

Lord Glenelg is so fully aware of the extreme inconvenience to which a large body of persons must be exposed by any further delay in the execution of this scheme, that he is prepared to encounter every difficulty of a merely technical kind, and to hazard every informality, which does not involve the sacrifice of any substantial interest, whether of justice or of sound policy. Under the influence of these feelings, his Lordship has directed me to make the following communication to yourself and to the other Commissioners.

Lord Glenelg is of opinion that by the appointment of an officer (or perhaps more than one) to be armed with the authorities suggested in your letter, and to be supported by all necessary ministerial agency in the exercise of such authorities, adequate security may be taken for the protection of the rights of the aborigines.

These, however, are appointments which his Lordship thinks it indispensable to reserve to the Crown. The protectors and their assistants must be exempt from all dependance whatever upon the Land Commissioners and upon their agents in the colony.

Although

No. 3.
Correspondence between Sir G. Grey and Colonization Commissioners.

Although Lord Glenelg cannot doubt that these arrangements would meet with the approbation and sanction of Parliament, he is not convinced that they are consistent with the terms of the existing statute, but apprehends that persons resorting to South Australia on the faith of that Act might be entitled to object to the office and powers of the protectors of the aborigines, as a departure from some of the fundamental principles, in reliance on which they had embarked in that adventure; principles which, it might be said, having been incoporated into an Act of Parliament, could not be lawfully invaded in any respect (however trifling), or upon any plea (however weighty), by arrangements between His Majesty's Government, and the Board of Commissioners appointed by them.

If this difficulty must prevail so as to render the Act of Parliament incapable of amendment, except at the expense of a breach of faith with the settlers, then it would be Lord Glenelg's clear opinion, that the settlement itself should be postponed until all necessary alterations in the statute had been effected. It has occurred to him, however, that any such objections from the future settlers might be effectually anticipated now, and answered hereafter, if the Commissioners would place in the hands of every person with whom they have made, or shall hereafter make, any contract for the sale of lands, a distinct written notice of the design of His Majesty's Government to apply to Parliament for various alterations in the existing law. Perhaps there would be no valid objection to the introduction of a reference to such contemplated amendments into the body of all agreements for the sale and of all deeds for the transfer of such lands.

It is not in Lord Glenelg's power to indicate very minutely the nature of the amendments which he at present contemplates. Some of the more material of them, however, are as follows:

1. Lord Glenelg proposes to incorporate in a future Act regulations for the protection of the aborigines, corresponding with those already mentioned.

2. He thinks that provision must be made for the revocation and renewal in an amended form, as experience may dictate, of the various instruments to be issued under the royal authority.

3. Lord Glenelg regards as indispensable the reservation to the Lords of the Treasury of a power to apply, towards defraying the expense of the civil government and of the administration of justice, so much of the proceeds of the sales of land as may be necessary to supply the deficiency of other public resources, a deficiency which, in the infancy of the settlement, will be probably total.

There are among the minor details of the present Act several in which it appears to his Lordship that a revision of the law would be attended with considerable advantage, but which it is superfluous to notice more particularly on this occasion.

If the Commissioners should regard these suggestions as practicable and convenient, Lord Glenelg will at once refer to the law officers of the Crown the draft of the proposed letters patent for establishing the colony. If that instrument should be approved by the Attorney and Solicitor-general, and the Lords Commissioners of the Great Seal, no apparent further obstacle would exist to the commencement of the proposed settlements in South Australia, as soon as the proper season of the year for such an undertaking shall have arrived.

I am, &c.
(signed) *George Grey.*

LETTER from the *Colonization Commissioners* to Sir *George Grey*, Bart. M. P., &c. &c.

South Australian Colonial Office, Adelphi Terrace,
Sir, 16 January 1836.

The Colonization Commissioners for South Australia have had under their consideration your letter to me of the 11th instant, and they desire, in the first place, to convey their thanks to Lord Glenelg for the expression of his Lordship's willingness to take upon himself the responsibility of encountering those technical difficulties and informalities which may impede the formation of the intended colony.

The Commissioners have also to request you to communicate to his Lordship their entire acquiescence in his Lordship's opinion, that those fundamental principles of the colony which have been incorporated into the Act of Parliament could not be lawfully invaded, in any respect, however trifling, or upon any plea, however weighty, by arrangements between His Majesty's Government and the Commissioners appointed by them.

The Commissioners are not only sensible of the illegality of departing from those principles whilst the Act of Parliament remains in force, but they feel that it would be a breach of their duty, and a violation of the pledges which, in the performance of the functions entrusted to them, they have necessarily given to individuals and to the public, if they were, directly or indirectly, to promote the introduction into Parliament of any alteration of the Act which, in their belief, would tend to affect practically the rights, or even the reasonable expectations, of those who, under the provisions of that Act, have already purchased land, or have advanced the loan required to be raised.

Entertaining this view of their duty, the Commissioners feel it wholly out of their power to accede to the third and most important proposition contained in your letter, namely, "The reservation to the Lords of the Treasury of a power to apply, towards defraying the expenses of the civil government, and of the administration of justice, so much of the proceeds of the sales of land as may be necessary to supply the deficiency of other public

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resources, a deficiency which, in the infancy of the settlement, Lord Glenelg expects will be probably total."

In fact the Commissioners have, in pursuance of the Act of Parliament, sold land in the colony to the amount of 35,000 *l.* The sales thus effected are made (in conformity with the intentions of the Legislature) upon the express condition that the whole of the purchase-money arising from them should be expended in sending out emigrant labourers and their families to the colony, and likewise that the whole of the purchase-money arising from future sales, subject possibly to a deduction for the expenses incidental to the surveys and sales, should be applied in the same manner. The latter part of the condition, although apparently not so important to the purchasers as the former, is, in fact, quite as essential to their security; for otherwise they would be exposed to that very scarcity of labour which it is the primary object of the Act to prevent.

The same conditions also are involved in the arrangements for the loan, which, in all probability, would not have been advanced, had not the lenders felt assured that the fundamental principles of the Act were sound in theory, and would be faithfully and rigidly adhered to.

The Commissioners trust that the preceding observations will satisfy Lord Glenelg that they are precluded from entertaining the question of any alteration in the Act, so far as regards the proposed application of the purchase-money of the lands which have already been, or may hereafter be, sold by the Commissioners. Nor can the Commissioners see that any such alteration is at all necessary, the maintenance of the government of the colony, until its own resources shall be sufficient for that purpose, being provided for by the existing law.

With regard to the arrangements for the protection of the aborigines, which, under Lord Glenelg's permission, were proposed by the Commissioners, and have been adopted by his Lordship. The Commissioners feel that they could not have ventured to suggest even those measures, had they not been fully convinced that the measures suggested would not, in fact, be inconsistent with the main principles of the Act, and that they would operate beneficially, not only to the aborigines, but to the parties interested in the colony.

The Commissioners concur with Lord Glenelg in thinking that these arrangements must be incorporated in a future Act of Parliament, and that, in the meantime, it will be their duty to make public, by all the means in their power, the intentions of His Majesty's Government to introduce an Act containing the necessary amendments for that purpose.

With regard to the most important feature in these arrangements, the appointment of a protector, Lord Glenelg has expressed so decided an opinion that such officer should be appointed by the Crown, and should be wholly independent of the Commissioners, that they will not venture to address themselves to that point, further than to express their confidence that His Majesty's Government, in defining the duties of the protector, and in selecting the individual for that important office, will not lose sight of the very serious evils which would arise, both to the aborigines and the colonists, if his powers be not clearly defined and most judiciously exercised.

As respects Lord Glenelg's second proposition, namely, that provision must be made for the revocation and renewal in an amended form, as experience may dictate, of the various instruments to be issued under the royal authority, the Commissioners do not fully understand its extent or its object; but they have reason to fear, that it is intended to remove those doubts which at present exist in the construction of the Act with regard to the power of the Crown to define the limits of the colony, and to enable the Crown to confine the colony within narrower boundaries than those which are expressly mentioned in the Act, and which were originally acceded to by His Majesty's Government.

Upon this question, which in the opinion of the Commissioners is of the most vital importance to the colony, the Commissioners not being in possession of the grounds upon which His Majesty's Government now desire to diminish the size of the colony, must refer Lord Glenelg to the communication which their chairman made to you on the 26th ultimo. They venture, however, to repeat to Lord Glenelg the expression of their entire conviction that any serious diminution of the extent of the colony will lead to the total failure of this most interesting experiment, and having considered it their duty to obtain the opinion of counsel with reference to the intentions of the Legislature on this point, they desire me to enclose a copy of the case submitted to Sir Wm. Follett, and of his opinion thereon.

The Commissioners cannot close this communication without adverting to the last paragraph in your letter, in which you state that if they regard your suggestions as practicable, and if the proposed letters patent should be duly sanctioned, no apparent further obstacle would exist to the commencement of the proposed settlement in South Australia, as soon as the proper season of the year for such an undertaking shall have arrived.

The Commissioners earnestly hope that Lord Glenelg will not delay issuing the letters patent until his Lordship thinks the proper season for the embarkation of the emigrants to be arrived, inasmuch as it is most desirable, and almost essential, that the main body of emigrants should be preceded by a small detachment, including the surveyors and some other officers, in order to ascertain the best locality for the first settlement, and to make the necessary preparations for its occupation.

In conclusion, I beg to request Lord Glenelg's attention to the enclosed copy of a letter from Mr. Angus, the chairman of the South Australian Company, complaining of the present delay, and stating its injurious effects on the prospects of the Company.

I have, &c.

(signed) *Robert Torrens.*

(Enclosure, No. 1.)

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Correspondence between Sir G. Grey and Colonization Commissioners.

Sir William Follett will be good enough to peruse the accompanying Act of Parliament, empowering "His Majesty to erect South Australia into a British Province or Provinces, and to provide for the Colonization and Government thereof."

The provisions of the 26th section of the Act have been complied with by the investment of the two sums of 20,000 *l.* and 35,000 *l.* therein mentioned in the manner thereby required.

The opinion of Sir Wm. Follett is requested upon the following points:

1. Whether the Act does not constitute, or authorize the Commissioners appointed under it to constitute the whole of the land lying within the limits described in the 1st section, "Public lands open to purchase by British subjects," or such parts only as shall be defined in the letters patent or other instrument used for erecting the province or provinces under such section?

2. Whether such limits can now, either with or without the assent of the Commissioners, by any letters patent or Order in Council, or otherwise than by authority of Parliament, be abridged so as to lessen the extent of land therein comprised, and thereby confine or restrict the right of purchase, either present or future, to a more limited space or quantity?

3. Whether the charge given by the securities executed by the Commissioners for the loan of 30,000 *l.* does not under the 18th and 20th sections extend over the revenues to be derived from all the provinces, if more than one shall be erected by His Majesty, within the limits before referred to, and to the whole of the land within those limits, in the event of the insufficiency of such revenues?

4. Whether, as the provisions of the 26th section have been complied with as before stated, the Commissioners are not now entitled to call upon His Majesty's Government to erect one or more provinces within the limits before referred to, and whether or not so as to include and embrace in the first instance the whole extent of such limits, or whether the Government may in the first instance confine the exercise of the power vested in His Majesty by the first section to the erecting of one province only of a small space within, or a less space than, the whole of such limits, and refuse to erect any other provinces, or may afterwards, at their discretion, and at such times as they may think fit, erect other provinces within those limits?

And generally, whether taking the whole context of the Act of Parliament together, it does not contemplate the erection of one colony only, subject to one government?

Opinion.

The power of the Commissioners under the 6th section is to declare all the lands of the province or provinces to be public lands, and by the 1st section the King is empowered to establish one or more provinces within that part of Australia which is there defined. The Commissioners therefore can only declare the lands of such part of the described territory as is erected into a province or provinces by the King to be public land; and I think the King is not bound, in strict legal construction, to include the whole of that territory in the province or provinces which he may choose to establish. It is clear, however, from the various provisions of this statute, that it was the intention of the Legislature that the whole of that part of Australia should be included in the intended colony, and that all the lands within the prescribed limits should be public lands, open to purchase and subject to the other regulations of the Act; and that the person advancing money under the 18th and 20th sections of the Act, should have a collateral security upon the whole of the lands throughout the entire district remaining unsold.

It appears to me therefore that the proper course for the Commissioners to adopt, now that the conditions required by the 28th section have been complied with, will be to apply to His Majesty's Government to erect the whole of that part of Australia which is described in the 1st section of the Act into one or more provinces, as may be thought convenient.

I do not apprehend that it is at all likely that the Commissioners would meet with any objection on the part of the Government to carry into effect the clear intention of the Legislature in this respect; I do not think that intention would be fully carried into effect, unless the whole of the defined district were put at once under the jurisdiction of the Commissioners as described by the Act.

Inner Temple, Jan. 13, 1836. (signed) *Wm. Follett.*

(Enclosure, No. 2.)

Rowland Hill, Esq.—Dear Sir, 19, Bishopsgate-street, 15 January 1836.

The Directors of the South Australian Company have requested me to ascertain from the Commissioners of that colony the cause of the delay which has arisen in the departure of the Governor and the surveying officers, and in the other measures necessary to the establishment of the projected colony.

This postponement of the time originally fixed on, and with relation to which the Directors of this Company have been for many weeks regulating their proceedings, has had a very injurious effect upon their interests. They have purchased and nearly completed the outfit of three ships, ordered provisions, stores, and other merchandize, and are at this time

No. 3. Correspondence between Sir G. Grey and Colonization Commissioners.

so circumstanced, that unless the way is prepared for their positive departure in all this month, the season for the whale fishery in those seas will be lost to them, and their hopes of success destroyed.

In other respects, the Directors need not urge upon the attention of the Commissioners the consequences and losses from the engagements and contracts already entered into with servants and tradesmen, besides the injury sustained from the unfavourable impression made upon the public mind; for all these things are too obvious not to force themselves upon the attention, and deeply affect the heart of every one, who is sincerely anxious for the successful establishment of the new colony.

It is manifest that unless an early arrangement be made to despatch the surveying officers to prepare the land for occupation in Kangaroo Island, the whole scheme of operation of the Company will of necessity undergo a complete change, which cannot fail most seriously to injure the prospects of the infant settlement. It is with the hope of preventing such a consequence that we most strenuously urge upon the Board the absolute necessity of immediate operations.

I remain, dear Sir, your's truly,
(signed) *George Fife Angus*, Chairman.

— Appendix, No. 4. —

PAPERS delivered in by Mr. *Kelsey*, and referred to in his Evidence, 11 July 1836.

REGULATIONS FOR GRANTS OF LAND IN NEW SOUTH WALES AND VAN DIEMEN'S LAND.

1824.

No. 4. Regulations for Grants of Land, New South Wales and Van Diemen's Land, 1824.

FOR the information of persons proceeding to New South Wales and Van Diemen's Land as settlers, it has been deemed expedient to prepare the following summary of the rules which His Majesty's Government have thought fit to lay down for regulating the grants of land in that colony:

1. A division of the whole territory into counties, hundreds and parishes, is in progress. When that division shall be completed, each parish will comprise an area of about 25 miles. A valuation will be made of the lands throughout the colony, and an average price will be struck for each parish.

2. All the lands in the colony not hitherto granted, and not appropriated for public purposes, will be put up to sale at the average price thus fixed.

3. All persons proposing to purchase lands must transmit a written application to the governor, in a certain prescribed form, which will be delivered at the surveyor-general's office to all parties applying, on payment of a fee of 2 *s.* 6 *d.*

4. All correspondence with the local government respecting grants of land must take place through the same office.

5. The purchase-money is to be paid by four quarterly instalments. A discount of 10 per cent. will be allowed for ready-money payments.

6. On payment of the money a grant will be made in fee-simple to the purchaser, at the nominal quit-rent of a peppercorn.

7. The largest quantity of land which will be sold to any individual is 9,600 acres. The lands will generally be put up to sale in lots of three square miles, or 1,920 acres. Persons wishing to make more extensive purchases must apply to the Secretary of State, in writing, with full explanations of their objects and means.

8. Any purchaser who, within 10 years after his purchase, shall by the employment and maintenance of convicts have relieved the public from a charge equal to 10 times the amount of the purchase-money, will have the purchase-money returned, but without interest. It will be computed that for each convict employed and wholly maintained by the purchaser for 12 months 16 *l.* have been saved to the public.

9. Lands may also be obtained without purchase, but upon different conditions.

10. Persons desirous to become grantees without purchase will make their application to the Governor in writing, in a prescribed form, copies of which are to be obtained at the surveyor-general's office, on payment of 2 *s.* 6 *d.*

11. The largest grant that will be made, without purchase, is 2,560 acres; the smallest 320 acres.

12. No grant is to be made to any person without purchase, unless the governor is satisfied that the grantee has both the power and the intention of expending in the cultivation of the land a capital equal to half the estimated value of it.

13. A quit-rent of 5 per cent. per annum upon the estimated value will be fixed upon the land granted without purchase.

14. The quit-rent will be redeemable within the first 25 years next following the grant, on payment of a sum equal to 20 times the annual amount of it.

15. In the redemption of his quit-rent, the grantee will have credit for one-fifth part of the sums which he may have saved to his Majesty's Government by the employment and maintenance of convicts; and for the purpose of making this allowance, it will be calculated that the Government has saved 16 *l.* for each convict employed by the grantee, and wholly maintained at his expense on his land for one whole year.

16. Until

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Regulations for Grants of Land, New South Wales and Van Diemen's Land, 1824–5.

16. Until the expiration of the first seven years next succeeding each grant, without purchase, no quit-rent will become due upon the lands comprised in it.

17. Every grantee, without purchase, must at the expiration of the before-mentioned term of seven years prove, to the satisfaction of the surveyor-general, that he has expended in the cultivation and improvement of his land a capital equal to half its value, as that value was estimated at the time of his grant: on failure of such proof, the land will be forfeited to the Crown.

18. No additional grant of land will be made to any person who has not proved, as last mentioned, the necessary expenditure of capital on the lands already granted to him.

19. Persons receiving a second grant of land, without purchase, will become liable to pay a quit-rent upon the lands comprised in such second grant immediately from the date of it.

20. Persons desirous to receive grants of land, without purchase, on terms different from those above stated, must lay before the Secretary of State a full explanation, in writing, of the circumstances which they may conceive to exempt them from the fair operation of these general rules.

Colonial Office, Downing-street,
November 1824.

1825.

Government and General Order.

Colonial Secretary's Office, 18 May 1825.

HIS Excellency the Governor having received from his Majesty's Principal Secretary of State for the Colonies, by a late opportunity, the following document, a copy of which is furnished to all persons proceeding to New South Wales and Van Diemen's Land as settlers, is pleased to give publicity to the same.

Document.

For the information of persons proceeding to New South Wales and Van Diemen's Land as settlers, it has been deemed expedient to prepare the following summary of the rules which His Majesty's Government have thought fit to lay down for regulating the grants of land in that colony:

1. A division of the whole territory into counties, hundreds and parishes, is in progress; when that division shall be completed, each parish will comprise an area of about 25 miles. A valuation will be made of the lands throughout the colony, and an average price will be struck for each parish.

2. All the lands in the colony not hitherto granted, and not appropriated for public purposes, will be put up to sale at the average price thus fixed.

3. All persons proposing to purchase lands must transmit a written application to the governor, in a certain prescribed form, which will be delivered at the surveyor-general's office to all parties applying, on payment of a fee of 2 *s.* 6 *d.*

4. All correspondence with the local government respecting grants of land must take place through the same office.

6. On payment of the money a grant will be made in fee-simple to the purchaser, at the nominal quit-rent of a peppercorn.

7. The largest quantity of land which will be sold to any individual is about 9,600 acres. The lands will generally be put up to sale in lots of one square mile, or 640 acres. Persons wishing to make more extensive purchases must apply to the Secretary of State, in writing, with full explanations of their objects and means.

8. Land may also be obtained without purchase, but upon different conditions.

9. Persons desirous to become grantees, without purchase, will make their application to the Governor, in a prescribed form, copies of which are to be obtained at the surveyor-general's office, on payment of 2 *s.* 6 *d.*

10. The largest grant that will be made, without purchase, is 2,500 acres; the smallest, 320 acres.

11. No grant is to be made to any person, without purchase, unless the Governor is satisfied that the grantee has both the power and the intention of expending in the cultivation of the land a capital equal to half the estimated value of it.

12. A quit-rent of 5 per cent. per annum upon the estimated value will be fixed upon the land granted without purchase.

13. The quit-rent will be redeemable within the first 25 years next following the grant, on payment of a sum equal to 20 times the annual amount of it.

14. Until the expiration of the first seven years next succeeding each grant, without purchase, no quit-rent will become due upon the lands comprised in it.

15. Every grantee, without purchase, must at the expiration of the before-mentioned term of seven years prove, to the satisfaction of the surveyor-general, that he has expended in the cultivation and improvement of his land a capital equal to half its value, as that value was estimated at the time of his grant: on failure of such proof the land will be forfeited to the Crown.

16. No additional grant of land will be made to any person who has not proved, as last mentioned, the necessary expenditure of capital on the lands already granted to him.

17. Persons receiving a second grant of land, without purchase, will become liable to pay a quit-rent upon the lands comprised in such second grant immediately from the date of it.

No. 4. Regulations for Grants of Land, New South Wales and Van Diemen's Land, 1825-6.

17. Persons desirous to receive grants of land, without purchase, on terms different from those above stated, must lay before the Secretary of State a full explananation, in writing, of the circumstances which they may conceive to exempt them from the fair operation of these rules.

With reference to the above, his Excellency the Governor must decline receiving, until further notice, any more applications for the purchase of Crown lands.

By his Excellency's command,
(signed) *F. Goulburn*, Colonial Secretary.

1826.

TERMS upon which LAND is granted to Settlers in *New South Wales* and *Van Diemen's Land*.

FOR the information of persons proceeding to New South Wales and Van Diemen's Land as settlers, it has been deemed expedient to prepare the following summary of the rules which His Majesty's Government have thought fit to lay down for regulating the grants of land in those colonies:

1. A division of the whole territory into counties, hundreds and parishes, is in progress. When that division shall be completed, each parish will comprise an area of about 25 miles. A valuation will be made of the lands throughout the colony, and an average price will be struck for each parish.

2. All the lands in the colony not hitherto granted, and not appropriated for public purposes, will be put up to sale at the average price thus fixed.

3. All persons proposing to purchase lands must transmit a written application to the Governor, in a certain prescribed form, which will be delivered at the surveyor-general's office to all parties applying, on payment of a fee of 2 *s.* 6d.

4. All correspondence with the local government respecting grants of land must take place through the same office.

5. The purchase-money is to be paid by four quarterly instalments. A discount of 10 per cent. will be allowed for ready-money payments.

6. On payment of the money, a grant will be made in fee-simple to the purchaser, at the nominal quit-rent of a peppercorn.

7. The largest quantity of land which will be sold to any individual is 9,600 acres. The lands will generally be put to sale in lots of three square miles, or 1,920 acres. Persons wishing to make more extensive purchases must apply to the Secretary of State, in writing, with full explanations of their object and means.

8. Any purchaser who, within 10 years after his purchase, shall by the employment and maintenance of convicts have relieved the public from a charge equal to 10 times the amount of the purchase-money will have the purchase-money returned, but without interest. It will be computed that for each convict employed and wholly maintained by the purchaser for 12 months 16 *l.* have been saved to the public.

9. Lands may also be obtained without immediate purchase, but upon different conditions.

10. Persons desirous to become grantees without immediate purchase, will make their application to the Governor in writing, in a prescribed form, copies of which are to be obtained at the surveyor-general's office, on payment of 2 *s.* 6 *d.*

11. The largest grant that will be made to any fresh settler, without purchase, is 2,560 acres; the smallest 320 acres.

12. No grant is to be made to any person without immediate purchase, unless the Governor is satisfied that the grantee has the power of expending in the cultivation of the lands a capital equal to half their estimated value.

13. A quit-rent of 5 per cent. per annum upon the value of each grant of land, as estimated in the survey, will be levied on all such grants; but such quit-rent will not commence to be levied until the expiration of the first seven years next succeeding the issue of such grant; at the expiration of the above-mentioned seven years, the grantee will become possessed in fee-simple of the grant, subject to the payment of the quit-rent; or he will be entitled to redeem such quit-rent, if he prefer that alternative.

14. The quit-rent will always be redeemable at 20 years' purchase; the power of such redemption commencing at the termination of the first seven years when such quit-rent is first levied.

15. Every grantee without purchase must, at the expiration of the before-mentioned term of seven years, prove to the satisfaction of the surveyor-general that he has expended in the cultivation and improvement of his land a capital equal to half its value, as that value was estimated at the time of his grant: on failure of such proof the land will be forfeited to the Crown.

16. In the redemption of his quit-rent, the grantee will have credit for one-fifth part of the sums which he may have saved to His Majesty's Government by the employment and maintenance of convicts; and for the purpose of making this allowance, it will be calculated that the Government has saved 16 *l.* for each convict employed by the grantee, and wholly maintained at his expense on his land for one whole year.

In the case of such grantees as may not have an opportunity of obtaining convicts, and thereby reducing the amount of their quit-rent in the manner laid down in this clause, every such grantee, upon showing an expenditure of capital on his land to the amount of five times the estimated value of that land at the time of its being granted to him, will be entitled,

No. 4.
Regulations for Grants of Land, New South Wales and Van Diemen's Land, 1826–7.

entitled, at the expiration of seven years from the time of such grant, to claim a reduction of one-half of his annual quit-rent, whether for the purpose of annual payment or redemption.

17. No additional grant of land will be made to any person who has not proved, as last mentioned, the necessary expenditure of capital on the lands already granted to him, and that he has sufficient capital in hand to enable him to cultivate to advantage the additional grant for which he applies.

18. Persons receiving a second grant of land without purchase will become liable to pay a quit-rent upon the lands comprised in such second grant, immediately from the date of it; but any grantee who can show an expenditure of capital upon his first grant to the amount of five times the estimated value of that grant at the time of its being made to him, will be entitled to a further grant, at the rate of 2½ per cent. on the estimated value of such grant, on proving that he has sufficient capital still in hand to cultivate to advantage the additional grant.

19. The same regulation will apply to purchasers of land who may make application for a second purchase, and who can show that they have laid out capital upon such land to five times the amount of its value. In such a case, half the estimated value of the new land will be remitted.

20. Persons desirous to receive grants of land without purchase, on terms different from those above stated, must lay before the Secretary of State a full explanation, in writing, of the circumstances which they may conceive to exempt them from the fair operation of these general rules.

Colonial Office, Downing-street, April 1826.

1827.

TERMS upon which LAND is granted to Settlers in *New South Wales* and *Van Diemen's Land.*

FOR the information of persons proceeding to New South Wales and Van Diemen's Land as settlers, it has been deemed expedient to prepare the following summary of the rules which His Majesty's Government have thought fit to lay down for regulating the grants of land in those colonies:

1. A division of the whole territory into counties, hundreds and parishes, is in progress. When that division shall be completed, each parish will comprise an area of about 25 miles. A valuation will be made of the lands throughout the colony, and an average price will be struck for each parish.

2. All the lands in the colony not hitherto granted, and not appropriated for public purposes, will be put up to sale, at the average price thus fixed, or be granted to settlers upon other conditions.

3. Until a survey and valuation of the whole of the lands shall have taken place, persons desirous of purchasing, as well as those who wish to obtain lands without purchase, will have the permission of selecting their land within certain prescribed limits, and the land which they may so select will be surveyed and valued as soon as practicable, and be sold, or be granted under quit-rent, according to the option of the settler.

4. All persons proposing to purchase lands must transmit a written application to the Governor, in a certain prescribed form, which will be delivered at the surveyor-general's office to all persons applying, on payment of a fee of 2 *s.* 6 *d.*

5. The land selected by individuals who have obtained leave to purchase will be valued by the Commissioners with as little delay as possible, and will be put up to sale for one month, (by proclamation) and will not be sold at a lower rate than the value fixed. Sealed tenders for the purchase of the land advertised, as above, to be addressed, under cover, to the colonial secretary, and marked "Tender for Land." At the end of a month from the date of the proclamation the tenders will be opened in the presence of such persons as the Governor may appoint, when the land will be disposed of to the person making the highest tender, if approved by the Governor.

6. All correspondence with the local government respecting grants of land must take place through the office of the surveyor-general, in the same manner as is prescribed in regard to the land which the parties may be desirous of purchasing.

7. A deposit of 10 per cent. upon the whole value of the purchase to be paid down, the remainder to be paid half-yearly, by promissory notes, payable at such intervals of time, and under such regulations as may be agreed upon by the Governor.

8. On payment of the money, a grant will be made in fee-simple to the purchaser, at the nominal quit-rent of a peppercorn.

9. The largest quantity of land which will be sold to any individual is 9,600 acres. The lands will generally be put to sale in lots of three square miles, or 1,920 acres. Persons wishing to make more extensive purchases, must apply to the Secretary of State, in writing, with full explanations of their object and means.

10. Lands may also be obtained without immediate purchase, but upon different conditions.

11. Persons desirous to become grantees without immediate purchase, will address themselves to the colonial secretary, who will furnish them with the established form of application. When the Governor shall be satisfied of the character and respectability of the

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applicant, the colonial secretary will be instructed to furnish him with a letter to the Land Board, in order that the amount of capital which he can command may be ascertained. Stock of every description, implements of husbandry, and other articles which may be applicable to agricultural purposes, are to be considered as capital, as likewise any half-pay or pension which the applicant may receive from Government.

12. The Land Board will carefully investigate the particulars of the capital which the respective applicants are stated to possess, it being of importance that settlers should not receive a greater extent of land than they are capable of improving, and that grants should not be made to persons who are desirous only of disposing of them. The regulations fixing the period within which persons receiving grants, without purchase, will not be allowed to alienate the lands (without subjecting themselves to a forfeiture of the grants) will be hereafter notified.

13. When the Governor is satisfied as to the amount of capital possessed by the applicant, (who must have the power of expending in the cultivation of the lands a capital equal to one-fourth part of their estimated value at the least) the latter will be furnished by the colonial secretary with a letter to the surveyor-general, who will afford him every necessary information, and will give him a written authority, for which he will pay a fee of 2 *s.* 6 *d.*, to proceed in search of land.

14. When he has made this selection, he will apprize the surveyor-general by letter, who will point out in his report (to be transmitted twice a month, for the Governor's information) the situation, &c. of such lands as have been selected. If approved by the Governor, the colonial secretary will give the applicant a written authority to take possession of the land, (in which the conditions will be specified) until the grant be regularly made out.

15. The largest grant that will be made to any fresh settler, without purchase, is 2,560 acres, the smallest 320 acres.

16. Lands to be granted in square miles, in the proportion of one square mile, or 640 acres, for every 500 *l.* sterling of capital which the applicant can immediately command, to the extent of four square miles, or 2,560 acres, which is the utmost that can be granted without purchase. The Crown reserves to itself the right of making and constructing such roads and bridges as may be necessary for public purposes on lands to be granted as above, and also to such indigenous timber, stone, and other materials, the produce of the land, as may be required for making and keeping the said roads and bridges in repair, or of compelling the proprietor, after a certain period, to construct roads through his own property, or to contribute, either by money payments or by work performed, towards an object so desirable.

17. A quit-rent of five per cent. per annum upon the value of each grant of land, as estimated in the survey, will be levied on all such grants; but such quit-rent will not commence to be levied until the expiration of the first seven years next succeeding the issue of such grant. At the expiration of the above-mentioned seven years the grantee will become possessed in fee-simple of the grant, subject to the payment of the quit-rent, or he will be entitled to redeem such quit-rent, if he prefers that alternative.

18. The quit-rent will always be redeemable at 20 years' purchase; the power of such redemption commencing at the termination of the first seven years, when such quit-rent is first levied.

19. Every grantee, without purchase, must at the expiration of the before-mentioned term of seven years prove, to the satisfaction of the surveyor-general, that he has expended in the cultivation and improvement of the land a capital equal to one-fourth of its value, as that value was estimated at the time of his grant: on failure of such proof, the land will be forfeited to the Crown.

20. No additional grant of land will be made to any person who has not proved, as last-mentioned, the necessary expenditure of capital on the lands already granted to him, and that he has sufficient capital in hand to enable him to cultivate to advantage the additional grant for which he applies.

21. Persons receiving a second grant of land, without purchase, will become liable to pay a quit-rent upon the lands comprised in such second grant immediately from the date of it; but any grantee who can show an expenditure of capital upon his first grant, to the amount of five times the estimated value of that grant at the time of its being made to him, will be entitled to a further grant, with a reduction in his quit-rent, at the rate of two-and-a-half per cent. on the estimated value of such grant, on proving that he has sufficient capital still in hand to cultivate to advantage the additional grant.

22. The same regulation will apply to purchasers of land who may make application for a second purchase, and who can show that they have laid out capital upon such land to five times the amount of its estimated value. In such a case, half the estimated value of the new land will be remitted.

23. Persons desirous to receive grants of land, without purchase, on terms different from those above stated, must lay before the Secretary of State, through the Governor of the colony, if resident there, a full explanation, in writing, of the circumstances which induce them to claim exemption from the operation of these general rules.

24. The personal residence of individuals on the land which they may obtain by grant or purchase, or the employment on the spot of a free man of approved character and respectability, will be made an indispensable condition.

Colonial Office, Downing-street,
April 1827.

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1828.

REGULATIONS for the GRANTING and SELLING of LAND.

GOVERNMENT ORDER, No. 22.

Colonial Secretary's Office,
29 April 1828.

His Excellency the Lieutenant-governor is pleased to notify, that the following Regulations, in furtherance of His Majesty's instructions for the disposal of land, have been established, until His Majesty's pleasure shall be known:

1. It being of importance that settlers should not receive a greater extent of land than they are capable of improving, and that grants should not be made to persons who are desirous only of disposing of them, a Land Board has been appointed, amongst whose duties it will be carefully to investigate the amount, and other particulars of the capital, which the several applicants state themselves respectively to possess.

2. Persons desirous of obtaining land by grant will address themselves to the surveyor-general, who will furnish them with the established form of application to the Lieutenant-governor, on payment of a fee of 2 *s.* 6 *d.*

3. When the Lieutenant-governor shall have been satisfied of the character and respectability of the applicant, the colonial secretary will be instructed to furnish him with a letter to the Land Board, in order that the amount of capital which he can command may be positively and particularly ascertained.

4. Live stock of every description, implements of husbandry, and other articles, which may be applicable to agricultural purposes, are to be considered as capital, as likewise any half-pay or pension which the applicant may receive from Government.

5. When the Lieutenant-governor shall have been satisfied by the report of the Board of the amount of capital, the applicant will be furnished by the colonial secretary with a land order, addressed to the surveyor-general, stating the quantity of land of which the applicant is to be put into possession.

6. The applicant will find a general map of the colony exhibited in the office of the surveyor-general, and he will there also receive every necessary local information which he may desire to obtain, in order to facilitate his views in the selection of land.

7. When the applicant shall have made his selection, he will apprize the surveyor-general thereof by letter, who will point out in his report, to be transmitted twice, viz, on the 1st and 15th days in every month, for the Lieutenant-governor's information, the extent, situation, and other particulars of such land as has been selected. If the selection be approved, the colonial secretary will make the necessary notification to the surveyor-general, from whom the applicant will receive a written authority (containing the description, and specifying the conditions of grant and tenure,) to take possession of and settle on the land.

8. If the applicant shall neglect to act upon the land order, or shall fail to take possession of the land within four months from the date of the written authority, such land order and written authority will be deemed void, and the original application must be renewed.

9. Land thus disposed of without purchase is to be granted in fee-simple, and held in fee and common socage, on payment of a quit-rent of 5 *l.* per cent. per annum upon the value of the land, as estimated in the survey by the land commissioners, and approved by the Lieutenaut-governor.

10. The quit-rent is not to become payable until the end of seven years after the grantee shall have been authorized to settle on the land, and is to be redeemable, at the option of the grantee, at 20 years' purchase; the power of such redemption commencing at the time when such quit-rent first becomes payable.

11. Although the ordinary period for issuing the grant will be at the expiration of seven years, yet whenever satisfactory proof shall be brought forward, after one year from the entry into possession and actual occupation, that the grantee has expended in the improvement of the land a sum equal to its value, as that value was estimated by the commissioners at the period of his being put into possession, the settler in such case shall have an immediate right to receive his title-deeds to the grant, without being obliged to await the expiration of the term of seven years; but if he fail within that period to expend in improvements on the land a sum equal to its estimated value, as aforesaid, possession of the land will be resumed by the Crown.

12. Lands to be granted in square miles, in the proportion of one square mile, or 640 acres, for every 500 *l.* sterling of capital which the applicant can immediately command, to the extent of four square miles, or 2,560 acres, which is the largest grant that will be made to any fresh settler without purchase, as the smallest is 320 acres.

13. The Crown reserves to itself the right of making and constructing such roads and bridges as may be necessary for public purposes on lands to be granted as above, and also to mines of gold and silver, and to such quantities of indigenous timber, stone and other materials, as may be required for making and keeping the said roads and bridges in repair, or for constructing other public works or buildings, or of compelling the proprietor, after a certain period, to construct roads through his own property, or to contribute, either by money payments or by work performed, towards an object so desirable.

14. Persons desirous of obtaining "grants in extension," will make application, in a certain prescribed form, which will be delivered at the surveyor-general's office, on payment of a fee of 2 *s.* 6 *d.* The best claim for this indulgence will be founded on *bonâ fide* residence as a settler

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a settler on the original grant; but whether the settler be resident on the land or not, actual outlay of capital in the improvement of it, either by buildings, enclosures, draining, or clearing, or in the importation of cattle or sheep of improved breeds to be depastured on it, will form the criterion by which the decision of the Government will be made, the applicant at the same time proving, to the satisfaction of the Land Board, that he has sufficient capital in hand to enable him to cultivate or improve to advantage the additional land for which he applies. "Grants in extension" are subject to quit-rent from the date of the authority to take possession of the land; in all other respects, they are liable to the like conditions and restrictions with original grants.

15. Persons desirous of obtaining "land by purchase," will address themselves to the surveyor-general, in a certain prescribed form, which will be delivered at the surveyor-general's office, on payment of a fee of 2 *s.* 6 *d.*

16. The lands selected by individuals who have obtained leave to purchase will be surveyed and valued by the commissioners with as little delay as possible, and will be put up to sale for one month, (by proclamation to be made and published for that purpose,) and will not be sold at a lower rate than the value so fixed.

17. Sealed tenders for the purchase of the land advertised as above are to be addressed under cover to the colonial secretary, and marked each "Tender for Land." At the end of a month from the date of the proclamation the tenders will be opened, in the presence of such persons as the Lieutenant-governor may appoint, when the land will be disposed of, as directed by His Majesty's instructions, to the person making the highest tender, if approved by the Lieutenant-governor.

18. Lands purchased will be conveyed in fee-simple, and held in free and common socage, the purchaser paying a yearly nominal quit-rent to the Crown of one peppercorn; but the Crown will reserve to itself all the rights specified in article 13.

19. The following terms will be open to the purchaser:

1st. He may pay down the whole purchase-money at the time of sale, in which case he will be entitled to a discount of 10 per cent.

2d. He may pay down 10 per cent. on the purchase-money, and the residue by four half-yearly instalments.

3d. He may pay down 10 per cent. on the purchase-money, and one moiety of the residue by two half-yearly instalments, upon which he shall receive the plenary title-deeds of the land conveyed in fee-simple, and to be holden of the Crown in free and common socage, by the annual payment of a peppercorn as quit-rent, on his lodging in the hands of Government a maiden-mortgage on the land so purchased, as a security for the payment of the other half of the purchase-money, which will bear an annual interest of 5 per cent.; such mortgage to be redeemable (at any time) within 12 years, by payment of the principal and interest remaining due, and not to be transferable before the expiration of that period.

20. The personal residence of individuals, or the employment on the spot of an overseer, whose character shall have been approved by the Government, will be made an indispensable condition of obtaining and holding land, whether by grant or purchase.

By command of the Lieutenant-governor,

J. Burnett.

GOVERNMENT ORDER, No. 26.

Colonial Secretary's Office,
30 April 1828.

THE Lieutenant-governor is pleased to direct that the following conditions shall be in force on the location of building allotments in the towns and in the suburbs:

1. *In the Towns.*

1. The allotments will be divided into three classes or rates.

2. The class or rate of an allotment, when applied for by any individual, shall be named by the Government, through the surveyor-general.

3. Allotments of the first class shall consist of one acre of land and upwards, but not exceeding three acres; allotments of the second class, half an acre and upwards, not exceeding one acre; and allotments of the third class, a quarter of an acre and upwards, not exceeding half an acre.

4. The extent of the allotment in either of these three cases to depend upon the remoteness of the situation from the centre of the town, and the outlay of capital which the grantee pledges himself to expend.

5. That on an allotment of the first class, a house shall be built of a frontage extending not less than 45 feet; on an allotment of the second class, a house with a frontage of at least 35 feet; and on an allotment of the third class, a house with a frontage of at least 15 feet.

On granting permission to any individual to occupy an allotment, he will be required to enter into a written obligation to perform the following conditions:

1. That he will make a footpath of nine feet wide on the side or sides of his allotment, next any street or public way, and inclose such allotment with a good fence, within six months from the date of the obligation.

2. That he will commence the erection of a house of brick or stone of the proper dimensions, according to the class of the allotment, within six months after the location order is given, keeping the line of the front at a distance of not less than 12 feet from the street.

3. That

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3. That he will complete the erection of the house, as far as regards the outward appearance, if of the first rate, within two years; if of the second rate, within 18 months; and if of the third rate, within 12 months.

4. That he will within that period expend at least, according to the extent of the allotment, in the erection of buildings, if of the first rate, 1,000 *l.*; if of the second rate, 500 *l.*; and if of the third rate, 200 *l.*

5. That he will not alienate his allotment within the period of 24, 18, or 12 months, (as the case may be with reference to the rate,) but will himself make the improvements required.

Any individual having failed to comply with any of the above conditions, his allotment shall be forfeited to the Crown. If, however, through misfortune, or other unavoidable cause, it shall be made to appear that he has become unable to perform the conditions, he shall be permitted, on application to the Government, to sell to a purchaser, who will become bound in like manner to fulfil them. But on the expiration of 24, 18, or 12 months, (as the case may be,) if he shall have fully complied with the conditions, he shall be entitled to a grant for the first and second class, subject to the payment of the under-mentioned quit-rent:

In Hobart Town and Launceston, 9 *d.* per rod per annum.

In the townships of New Norfolk, Sorell and Richmond, 3 *d.* per rod per annum.

In all townships in the interior, 2 *d.* per rod per annum.

And for an allotment of the third class, to a lease for 21 years, subject to the under-mentioned rent:

In Hobart Town and Launceston, 6 *d.* per rod per annum.

In the townships of New Norfolk, Sorell and Richmond, 2 *d.* per rod per annum.

In all other townships in the interior, 1 *d.* per rod per annum.

These regulations are not to extend to allotments on the wharfs, which are to be subject to a distinct arrangement.

The quit-rents on all town allotments are to be chargeable from the date of the location order and possession being given to the parties by the surveyor-general.

II. *For the Allotments in the Suburbs of Hobart Town.*

That they be fenced in with a four-rail fence, or some other equally substantial fence, and effectually cleared of all trees, (except such as may *bonâ fide* be reserved for ornament,) stumps and roots of trees, within 12 months. The ground to be properly broken up by the spade or plough, and a crop, either of turnips, vetches, grass or potatoes sown within the second 12 months, and a house and other buildings (of stone or brick) erected, to the amount in the whole for such buildings of 750 *l.*, within three years more; thus, fenced and cleared the first year, ground broken up and a crop the second year, buildings erected the fifth year.

A ticket, giving possession, will be exchanged for a grant, on compliance with the conditions, at a quit-rent of 5 per cent., calculated upon the present value of the land, according to the valuation of the land commissioners, approved by the Lieutenant-governor.

If the grantee is rather disposed to reverse this arrangement, and commence with the erection of the house, it is optional with him to do so; and a grant will be issued as soon as the house is completed.

The largest allotment not exceeding 10 acres, and to be decreased according to its vicinity to the town.

By command of his Excellency,

J. Burnett.

1832.

GOVERNMENT NOTICE.—No. 38.

Colonial Secretary's Office, 16 Feb. 1832.

THE Lieutenant-governor has directed that the following regulations for the disposal of land be published, for general information.

By his Excellency's command,

J. Burnett.

LAND REGULATIONS.

Sale.

1. As soon as the necessary arrangements have been completed with respect to the survey of a parish, a chart thereof will be exhibited at the surveyor-general's office, showing its boundaries, the public reserves, the lands already appropriated, and those remaining for sale, the latter being divided into lots containing, as nearly as practicable, 640 acres each, which lots will be distinguished by numerical marks in reference to an accompanying schedule, which will more particularly describe their boundaries.

2. Notice will at the same time be given in the Gazette that such lands, after the expiration of three months, will become disposable.

3. As no Crown lands will be sold, except in special cases, but those which shall have been previously notified as disposable, all offers to purchase must be made with reference to the charts and schedules exhibited for that purpose in the surveyor-general's office, and must be addressed to the surveyor-general in the printed forms, which may be obtained at the same office, on payment of a fee of 2*s.* 6*d.* for each.

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4. Should any person desire to purchase a portion only of some particular lot open for sale, he will, in his application, state the reasons for which he wishes the division to be made, as no deviation from the lots described in the schedules will be adopted, except in very special cases.

5. All disposable lots for which application shall have been made with reference to the schedules will be advertised, for not less than one month, and will then be sold by public auction to the highest bidder, provided that the price offered shall at least amount to the sum of 5*s.* per acre.

6. But before the bidding is accepted, the party will be required to pay down a deposit of 10 per cent. on the amount of the purchase-money, and to sign an engagement to pay the balance within one calendar month, under penalty of forfeiting the deposit.

7. If payment be not made within the prescribed period, the deposit will be forfeited accordingly, and the land will again be open to the selection of the public.

8. But if the purchase be completed within the period stipulated, the purchaser will be put in immediate possession of the land, and no time will be lost in preparing the title-deeds; previously to the delivery of which a fee of 40*s.* will be payable to the colonial secretary for preparing the same, and another fee of 5*s.* to the registrar of the Supreme Court for enrolling them; but it will be incumbent on the grantee to procure the enrolment.

9. In ordinary cases land will not be sold, unless it shall previously have been notified as open for sale; but in special instances, where parties may be desirous of purchasing lands in districts not yet surveyed, those lands may be sold in the same manner, after advertisement for three months, but subject to all risks arising from inaccuracy of description.

10. All lands disposed of under these regulations will be held in free and common socage, subject to the nominal quit-rent of a peppercorn.

11. The Crown will reserve to itself the right of making and constructing such roads and bridges as may be necessary for public purposes in all lands purchased as above, and also to such indigenous timber, stone and other materials, the produce of the land, as may be required for making and keeping the said roads and bridges in repair, and for any other public purposes. The Crown will further reserve to itself all mines of coals and precious metals.

12. No land within 100 feet of high-water mark on the sea coast, harbours, bays or inlets, is to be considered open to purchase, unless for the purposes of commerce or navigation.

13. All free persons will be eligible as purchasers of land, without any limitation as to quantity.

Retired Officers.

14. The same advantages will be extended to officers of His Majesty's navy and marines retiring from the service or going upon half-pay as are held out to military officers by the general order of 1st August 1831, No. 504, the established relation of rank between the different grades of each service being observed respectively.

15. All officers desirous of becoming settlers shall, like other individuals, procure land only by purchase at the public sales; but they will be entitled to a remission of the purchase-money in proportion to their respective rank and period of service, according to the following graduated scale, on producing testimonials of unexceptionable character from the General commanding in Chief, or from the Lords Commissioners of the Admiralty, as the case may be:

Field officers of 25 years' service and upwards, in the whole 300 *l.*
Field officers of 20 years' service and upwards, in the whole 250 *l.*
Field officers of 15 or less years' service, in the whole 200 *l.*
Captains of 20 years' service and upwards, in the whole 200 *l.*
Captains of 15 years' service or less, in the whole 150 *l.*
Subalterns of 20 years' service and upwards, in the whole 150 *l.*
Subalterns of 7 years' service or less, in the whole 100 *l.*

16. No officer will be entitled to the benefit of this regulation unless, if military, he shall produce the written permission of the General commanding in Chief, or the Commander of the Forces in India, to go on half pay, or to retire from the service, for the purpose of settling in the colony; or, if of the navy or marines, a similar permission from the Lords Commissioners of the Admiralty.

17. All officers desirous of availing themselves of these regulations must enter into a bond for 500 *l.* that either they, or their families, will reside in this colony for seven years.

18. They will be required to apply for the land they wish to purchase in the form prescribed by the third paragraph of this order.

19. To prevent the inconvenience at the time of sale of advancing the prescribed deposit of 10 per cent. a certificate must be produced, signed by the colonial secretary, stating the sum they will be allowed in remission of the purchase-money.

20. The other modes of procedure will be the same in all respects as those detailed above in the case of ordinary purchasers.

Discharged Soldiers.

21. To non-commissioned officers and privates discharged from the service for the purpose of settling in the colony, the following proportion of the purchase-money will be remitted, viz:

Serjeants - - - - - - - - - - - 50 *l.*
Corporals and private soldiers - - - - - - - - 25 *l.*

Leases.

Leases.

22. All lots of Crown land which have been notified as disposable may be leased after the expiration of three months from the date of the notification, provided no offer to purchase them shall have been made in the interim.

23. Persons who may be desirous of renting lots of Crown land will apply to the surveyor-general, in the printed form, which may be obtained for the purpose at his office on payment of the fee of 6 *d.*, and will in that application describe the land desired.

24. The land, if disposable by lease, will then be advertised for one month, at the expiration of which the lease of it for one year will be put up to public auction.

25. Each lot will be put up at a rent of 20 *s.* per 100 acres, and the highest bidding (if not less than that sum) will be accepted.

26. Should application be made to purchase a lot already advertised to be let, but before it shall have been put up for that purpose, the application to purchase will supersede that to rent, and the lot will be advertised for sale in the regulated mode, provided the land be open for sale.

27. At every auction, all lots which have on that occasion been put up for sale, but not sold, will be immediately offered on lease for one year, and the highest bidding (if not less than 20 *s.* per 100 acres) will be then accepted.

28. It is to be distinctly understood that leased lands will be open to purchase, provided they are amongst those which shall already have been notified as being for sale, and in the event of their being sold, they must be surrendered by the lessee upon one month's notice.

29. At the expiration of the year the lots leased will not again be put up to auction, unless application to that effect shall have been made, and in the absence of such application the tenant will be continued in possession, upon the terms of his original lease, until he shall notify to the surveyor-general, in writing, that he wishes to relinquish it; but if after the expiration of the year another tenant offers, the land will be again put up as before.

30. Although in ordinary cases no lands will be leased but such as shall have been already notified as disposable by sale, yet as many settlements have been formed in remote parts of the colony, where the arrangements necessary for selling lands cannot for some time be made, but where nevertheless it may be essential to persons already fixed there to obtain by lease the Crown lands in the neighbourhood of their own, in such special instances the lands applied for on lease, if unobjectionable, will be let by auction, according to the process above specified, but subject to all risks arising from any inaccuracy in the description.

Town and Suburban Allotments.

31. Allotments will in future be disposed of by public sale only.

32. Every township in the colony will shortly be laid out and divided into sections and lots, plans of which will be seen at the survey office, and at the offices of the police magistrates in the country.

33. All persons wishing to purchase such allotments will make application to that effect to the surveyor-general, in the printed form, to be obtained at the survey office and at the police offices, and will therein distinctly specify the lots required by reference to the numerical and sectional marks by which they are described in the plans.

34. Allotments thus applied for will be from time to time advertised for sale, and after three months will be sold by public auction, on the conditions specified in paragraphs six, seven, eight and ten of these regulations.

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Appendix, No. 5.

REGULATIONS AS TO SETTLERS IN WESTERN AUSTRALIA.

January 1829.

REGULATIONS for the guidance of those who may propose to embark as Settlers for the New Settlement on the Western Coast of *New Holland*.

1. HIS Majesty's Government do not intend to incur any expense in conveying settlers to the new colony on the Swan River, and will not feel bound to defray the expense of supplying them with provisions or other necessaries after their arrival there, nor to assist their removal to England or elsewhere, should they be desirous of quitting the colony.

2. Such persons as may arrive in that settlement before the end of the year 1830 will receive, in the order of their arrival, grants of land, free of quit-rent, proportioned to the capital which they may be prepared to invest in the improvement of the land, and of which capital they may be able to produce satisfactory proofs to the Lieutenant-governor (or other officer administering the colonial government), or to any two officers of the local government appointed by the Lieutenant-governor for that purpose, at the rate of 40 acres for every sum of 3 *l.* which they may be prepared so to invest.

3. Under the head of "investment of capital" will be considered stock of every description, all implements of husbandry, and other articles which may be applicable to the purposes of productive industry, or which may be necessary for the establishment of the settler on the land where he is to be located. The amount of any half-pay or pension which the applicant may receive from Government will also be considered as so much capital.

Regulations as to Settlers in Western Australia, 1829.

No. 5.
Regulations as to Settlers in Western Australia, 1829.

4. Those who may incur the expense of taking out labouring persons will be entitled to an allowance of land, at the rate of 15 *l.*, that is, of 200 acres of land, for the passage of every such labouring person, over and above any other investment of capital. In the class of "labouring persons" are included women, and children above 10 years old. Provision will be made by law, at the earliest opportunity, for rendering those capitalists who may be engaged in taking out labouring persons to this settlement liable for the future maintenance of those persons, should they, from infirmity or any other cause, become unable to maintain themselves there.

5. The licence of occupation of land will be granted to the settler, on satisfactory proof being exhibited to the Lieutenant-governor (or other officer administering the local government) of the amount of property brought into the colony. The proofs required of such property will be such satisfactory vouchers of expenses as would be received in auditing public accounts. But the full title to the land will not be granted in fee-simple until the settler has proved, to the satisfaction of the Lieutenant-governor, (or other officer administering the local government) that the sum required by Article 2 of these Regulations, (viz. 1 *s.* 6 *d.* per acre), has been expended in the cultivation of the land, or in solid improvements, such as buildings, roads or other works of the kind.

6. Any grant of land thus allotted, of which a fair proportion, of at least one-fourth, shall not have been brought into cultivation, otherwise improved or reclaimed from its wild state, to the extent of 1 *s.* 6 *d.* per acre, to the satisfaction of the local government, within three years from the date of the licence of occupation, shall at the end of the three years be liable to a payment of 6 *d.* per acre into the public chest of the settlement; and at the expiration of seven years more, should the land still remain in an uncultivated or unimproved state, it will revert absolutely to the Crown.

7. After the year 1830, land will be disposed of to those settlers who may resort to the colony on such conditions as His Majesty's Government shall see occasion to adopt.

8. It is not intended that any convicts or other description of prisoners be transported to this new settlement.

9. The government will be administered by Captain Stirling of the royal navy, as Lieutenant-governor of the settlement, and it is proposed that a bill should be submitted to Parliament in the course of the next Session to make provision for the civil government of the new settlement.

Colonial Office, 13 January 1829.

February 1829.

INFORMATION for the use of those who may propose to embark as Settlers for the New Settlement in *Western Australia*.

1. His Majesty's Government do not intend to incur any expense in conveying settlers to the new colony on the Swan River, and will not feel bound to defray the cost of supplying them with provisions or other necessaries after their arrival there, nor to assist their removal to England, or to any other place, should they be desirous of quitting the colony.

2. Such persons as may arrive in that settlement before the end of the year 1830 will receive, in the order of their arrival, allotments of land, free of quit-rent, proportioned to the capital which they may be prepared to invest in the improvement of the land, and of which capital they may be able to produce satisfactory proofs to the Lieutenant-governor (or other officer administering the colonial government) or to any two officers of the local government appointed by the Lieutenant-governor for that purpose, at the rate of 40 acres for every sum of 3 *l.* which they may be prepared so to invest.

3. Under the head of "investment of capital" will be considered stock of every description, all implements of husbandry, and other articles which may be applicable to the purposes of productive industry, or which may be necessary for the establishment of the settler on the land where he is to be located.

4. Those who may incur the expense of taking out labouring persons will be entitled to an allotment of land, at the rate of 15 *l.*, that is, of 200 acres of land, for the passage of every such labouring person, over and above any other investment of capital. In the class of "labouring persons" are included women, and children above 10 years old. With respect to the children of labouring people under that age, it is proposed to allow 40 acres for every such child above three years old; 80 acres for every such child above six years old, and 120 for every such child above nine and under ten years old. Provision will be made, by law, at the earliest opportunity, for rendering those capitalists who may be engaged in taking out labouring persons to this settlement liable for the future maintenance of those persons, should they, from infirmity or any other cause, become unable to maintain themselves there.

5. The licence to occupy will be given to the settler on satisfactory proof being exhibited to the Lieutenant-governor (or other officer administering the local government) of the amount of property brought into the colony, to be invested as above specified. The proofs required of this property will be such satisfactory vouchers of expenses as would be received in auditing public accounts. But the title to the land will not be granted in fee-simple until the settler has proved, to the satisfaction of the Lieutenant-governor, (or other officer administering the local government) that the sum required by Article 2, (viz. 1 *s.* 6 *d.* per acre) has been actually expended

expended in some investment of the nature specified in Article 3, or in the cultivation of the land, or in solid improvements, such as buildings, roads, or other works of that kind.

6. Any land thus allotted, of which a fair proportion, at least one-fourth, shall not have been brought into cultivation, or otherwise improved, to the satisfaction of the local government, within three years from the date of the licence of occupation, shall at the end of the three years be liable to one further payment of 6 *d.* per acre for all the land not so cultivated or improved into the public chest of the settlement, and at the expiration of seven years more, so much of the whole grant as shall still remain in an uncultivated or unimproved state will revert absolutely to the Crown. And in every grant will be contained a condition, that, at any time within ten years from the date thereof, the government may resume, without compensation, any land not then actually cultivated or improved, as before mentioned, which may be required for roads, canals, or quays, or for the site of public buildings.

7. After the year 1830, land will be disposed of to those settlers who may resort to the colony, on such conditions as His Majesty's Government shall determine.

8. It is not intended that any convicts be transported to this new settlement.

9. The government will be administered by Captain Stirling of the royal navy, as Lieutenant-governor of the settlement, and it is proposed that a Bill shall be submitted to Parliament in the course of the next Session to make provision for its civil and judicial administration.

Colonial Office, 3 February, 1829.

July 1830.

INFORMATION for the use of those who may propose to embark as Settlers for the New Settlement in *Western Australia.*

1. It has at no time formed any part of the plan of His Majesty's Government to incur any expense in conveying settlers to the new colony on the Swan River. Government will not feel bound to defray the cost of supplying provisions or other necessaries to settlers after their arrival there, nor to assist their return to England, nor their removal to any other place, should they be desirous of quitting that colony.

2. Such persons as emigrate to the Swan River settlement, and arrive there after the 31st of December 1830, will receive, in the order of their arrival, allotments of land proportioned to the capital which they have at command for the improvement of the land, at the rate of 20 acres for every sum of 3 *l.* which they may be prepared to invest in such improvement.

3. Under the head of "capital" will be considered, at a fair rate of valuation, stock of every description, all implements of husbandry, and other articles which may be applicable to the purposes of productive industry, or which may be necessary for the establishment of the settler on the land where he is to be located.

4. Those who incur the expense of taking out labouring persons to this colony will be entitled to land to the value of 15 *l.*, that is, to 100 acres, for the passage of every such labourer, over and above any investment of other capital.

In the class of "labouring persons" are included women, and also children above 12 years old. They will further be allowed 30 acres for every child under the age of six, and 60 acres for every child between the age of six and twelve.

5. The licence to occupy will be given to the settler, on satisfactory proof being exhibited to the Lieutenant-governor (or other officer administering the local government) of the amount of property, as above specified, which has been brought into the colony to be invested. The proofs expected to be produced of the value of this property will be such vouchers of expenses as would be received in auditing public accounts. The title to the land in fee-simple will not be granted, however, until the settler has proved, to the satisfaction of the Lieutenant-governor, (or other officer administering the local government) that the sum required by Article 2, (viz. 3*s.* per acre) has been actually expended in some investment of the nature specified in Article 3, or has been laid out on the cultivation of the land, or on some other substantial improvement, such as buildings, roads or other works of utility.

6. Any land thus allotted which shall not have been brought into cultivation, or upon which improvements shall not have been effected in some other manner, to the satisfaction of the local government, within two years from the date of the licence of occupation, shall at the end of that period be liable to an annual payment into the public chest of the settlement of 1 *s.* per acre, as quit-rent; and at the expiration of another period of two years, so much of the whole grant as shall still remain in an uncultivated state, or without such improvement being effected upon it as shall be satisfactory to the local government, shall revert absolutely to the Crown, or become liable to such additional quit-rent as the local government may think fit to impose, reference being had to the value of the adjoining lands. But in cases where land so circumstanced is required for roads, canals or quays, or for any other public purpose, the local government will be at liberty to retain the land absolutely, in place of allowing it to revert to the original grantee on the condition of paying an additional quit-rent.

Colonial Office, 20 July 1830.

— Appendix, No. 6. —

No. 6.
Abstract of Australian Agricultural Company's Charter.

ABSTRACT of the *Australian Agricultural Company's* CHARTER.

The Australian Agricultural Company's charter, bearing date the 1st of October 1824, is founded on the Act 5 Geo. 4, cap. 86.

The charter, after setting forth the objects contemplated in the Act, provides:

1. That all grants of land to the Company shall be passed under the great seal of the colony, in pursuance of a warrant under the Sign Manual.

2. That a quit-rent of 1½ per cent. shall be charged on the land, its value being estimated at 1 *s.* 6 *d.* an acre.

3. That no quit-rent shall be charged on the land during the term of five years, such term to be computed from the date of the grant.

4. That the Company shall have the power to redeem their quit-rent, or any part thereof, on the payment of a sum equal to 20 times the value of the quit-rent to be redeemed.

5. That the Company shall employ on their lands such a number of convicts as shall at least be equal to the number of free labourers employed, provided the Governor shall be able and willing to supply a sufficient number of convicts for that purpose.

6. That the Company shall employ one free superintendent to every 50 convicts.

7. That none of the Company's land shall be in any way alienated during five years from the date of the grant, under pain of forfeiture of such land.

8. That the Company shall have the power of alienating any portion of their land, not exceeding 50,000 acres, after having proved to the local government an expenditure in the improvement of their grant to the amount of 10,000 *l.*, and so on in like proportion, and on the same condition, to the extent of one half of their grant; and that they shall also have the power of leasing for any period not exceeding 21 years, without any covenant of renewal, portions of their land, not exceeding one moiety of the whole.

9, 10, 11. That the quit-rent chargeable on the Company's land shall be paid at intervals of five years; the first payment to be made after the expiration of 10 years from the date of the grant. Provision is also made for the redemption of the quit-rent, by the employment and maintenance of 600 convicts during the greater part of the second period of five years from the date of the grant, of 1,000 convicts during the third period, and of 1,400 convicts during the fourth period.

12. That the whole amount of quit-rent shall be redeemed if, within 20 years from the date of the grant, it shall appear that the company have relieved the Treasury from a charge equal to 100,000 *l.*, to be calculated at the rate of 20 *l.* for each convict supported during a year.

— Appendix, No. 7. —

No. 7.
Abstract of the Van Diemen's Land Company's Charter.

ABSTRACT of the *Van Diemen's Land Company's* CHARTER.

The Van Diemen's Land Company's charter, bearing date the 1st September 1825, is founded on the Act of the 6 Geo. 4, c. 39.

The charter, after setting forth the objects contemplated in the Act, goes on to declare and define the scope of the operations of the Company. It empowers the Company to expend their capital in the improvement of their lands and the construction of works thereon, and in carrying out emigrants. It conveys the power of "working and raising mines and minerals," subject to such conditions as might be imposed by the government.

The Company may make loans on the security of "lands and hereditaments" situated within the colony, to the amount of 50,000 *l.* in the whole; a record of each loan to be entered in the Supreme Court within one month.

They may also make loans to the amount of 20,000 *l.* on any "bonds or judgments," (such loans to be subject to the further regulation of the Government,) provided they do not enter into any banking operations. Loans may be made without restriction to persons settling on their lands for the purpose of improving them.

They may contract for public works to the extent of 50,000 *l.* This licence to continue for 10 years only, and be then subject to renewal or otherwise.

They may advance money to the Government to the extent of 100,000 *l.* on security of any tolls or taxes. This licence also to continue for 10 years only, subject to renewal.

They may advance money on whale or seal fisheries to the amount of 20,000 *l.*

They may lay out capital to the extent of 20,000 *l.* in the acquirement of "houses, wharfs and buildings," and capital to the amount of 10,000 *l.* in the acquisition of any other description of real property, "lands or hereditaments." Such last-mentioned description of property (not being a house, wharf or other building) to be only through a licence from the Governor. The Secretary of State may authorize the Company to increase such loans and investments of capital, if it shall appear to be for the benefit of the colony to do so.

Provision is then made for regulating the tenure of their grant.

1. The grants to be made under the seal of the colony, in pursuance of warrants under the Royal Sign Manual.

2. A quit-

No. 7.
Abstract of the Van Diemen's Land Company's Charter.

2. A quit-rent to be chargeable of 1 ½ per cent. on the lands.
3. No quit-rent to be due or payable for five years from the date of the grant.
4. May redeem the quit-rent by payment of 20 times its amount.
5. They shall employ a number of convicts equal to the number of their free labourers, provided the Governor should be able and willing to supply such a number.
6. The Company to employ one free overseer to every 50 convicts.
7. None of the Company's land to be alienated for five years from the date of the grant, under penalty of a forfeiture to the Crown.
8. The Company have the power of alienating any portion of their land (after such period of five years) not exceeding 12,500 acres, after having proved to the local government an expenditure of 2,500 *l.*; and so on in like proportions, and on the same conditions, to the extent of one-half their grant. They may also lease for any period not exceeding 21 years any portions of their land, to the extent of one-half their grant.
9, 10 & 11. The quit-rent chargeable on the Company's land shall be paid at intervals of five years; the first payment to be made after the expiration of 10 years from the date of the grant. It is also provided, that the quit-rent may be redeemed by the employment and maintenance of 150 convicts during the greater part of the second period of five years from the date of the grant, of 250 convicts during the third period, and of 350 during the fourth period.
12. The lands shall be free from quit-rent if, within 20 years from the date of the grant, the Company shall make it appear that they have relieved the local treasury from a charge equal to 25,000 *l.* by the maintenance of convicts, to be calculated at the rate of 16 *l.* for each convict supported during the year.

The capital of the Company is fixed at one million of pounds sterling, to be raised in shares of 100 *l.* each.

Then follow various provisions relative to the appointment of the Governor, deputy-governor and the directors; their meetings, &c. &c. &c.